



SANDRA SHEWRY
Director

State of California—Health and Human Services Agency
Department of Health Services



ARNOLD SCHWARZENEGGER
Governor

August 23, 2006

Dear Interested Party,

Notice to Prospective Proposers

Prospective Proposers are invited to review and respond to this Request for Proposal (RFP) Number **06-55519** entitled, "**HIV/AIDS Disease Management Pilot Program**". In submitting a proposal, compliance with the instructions found herein is imperative.

All agreements entered into with the State of California will include, by reference, General Terms and Conditions and Contractor Certification Clauses that may be viewed and downloaded at the following Internet site:

<http://www.ols.dgs.ca.gov/Standard+Language/default.htm>. If any prospective proposer lacks Internet access, a hard copy can be obtained by contacting the person signing this letter.

If a discrepancy occurs between the information in the advertisement appearing in the California State Contracts Register and the information herein, the information in this notice and in the RFP shall take precedence.

I. Proposal Submission Deadline

Regardless of postmark or method of delivery, the California Department of Health Services' (CDHS) Contract Management Unit must receive proposal packages no later than **4:00 p.m.** on **October 18, 2006**. Refer to the attached RFP for detailed submission requirements.

II. Voluntary Non-Binding Letter of Intent & Voluntary Request for Inclusion on Mailing List

In this procurement, prospective proposers are asked to voluntarily submit a Request for Inclusion on Mailing List. See the RFP for detailed Voluntary Request for Inclusion on Mailing List submission instructions.

III. Disabled Veteran Business Enterprise (DVBE) Participation Requirements

California Law requires Disabled Veteran Business Enterprise (DVBE) participation and/or performance of a good faith effort (GFE) to meet these requirements. CDHS policies require DVBE participation on all contracts exceeding \$10,000. Prospective proposers may need four weeks or more to complete this process; therefore it is advisable to begin this process promptly. Out-of-state firms must comply with California's DVBE participation requirements.

IV. Funding Limit

Funding for these services may be limited to the following amounts:

- A. \$4,000,000 for the budget period of 01/02/07 through 04/30/08.
- B. \$4,000,000 for the budget period of 05/01/08 through 04/30/09.
- C. \$4,000,000 for the budget period of 05/01/09 through 07/31/10.
- D. \$12,000,000 for the entire contract term.

Funding for each state fiscal year is subject to an annual appropriation by the State Legislature or Congress. If full funding does not become available, CDHS will either cancel the resulting agreement or amend it to reflect reduced funding and reduced activities. Continuation of services beyond the first state fiscal year is also subject to the contractor's successful performance. Without prior CDHS authorization, contractors may not expend funds set aside for one budget period in a subsequent budget period.

V. Proposer Questions

In the opinion of the CDHS, this RFP is complete and without need of explanation. However, if questions arise or there is a need to obtain clarifying information, put all inquiries in writing and mail or fax them to CDHS according to the instructions in the RFP section entitled, "Proposer Questions".

Thank you for your interest in CDHS' service needs.

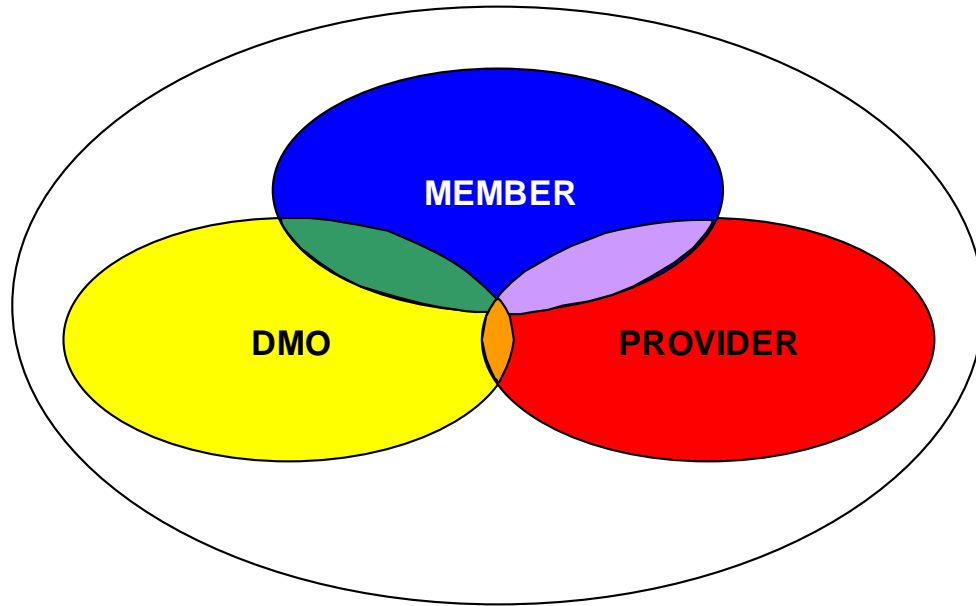
Sincerely,

Original signed by *Donna Martinez*

Donna Martinez, Chief
Office of Medi-Cal Procurement

Attachment

HIV/AIDS Disease Management Pilot Program



Request For Proposal 06-55519



August 23, 2006



Request for Proposal 06-55519

HIV/AIDS Disease Management Pilot Program

August 23, 2006

California Department of Health Services
Office of Medi-Cal Procurement
MS Code 4200
P. O. Box 997413
Sacramento, CA 95899-7413

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Attachment 3	Business Information Sheet
Attachment 4	Client References
Attachment 5	RFP Clause Certification
Attachment 6	CCC 1005 - Certification
Attachment 7	Payee Data Record
Attachment 8	Follow-on Consultant Contract Disclosure
Attachment 9	DVBE Instructions / Forms with Attachment 9a, Actual DVBE Participation and Attachment 9b, Good Faith Effort
Attachment 10	Non-Small Business Subcontractor Preference Instructions with Non-Small Business Subcontractor Preference Request (Attachment 10a) and Small Business Subcontractor/Supplier Acknowledgment (Attachment 10b). Use the forms included with the RFP.
Attachment 11	Target Area Contract Preference Act (TACPA) Request [Download this form from the Intranet at: http://admin.int.dhs.ca.gov/forms/html/contracts.htm]
Attachment 12	Enterprise Zone Act (EZA) Preference Request [Download this form from the Intranet at: http://admin.int.dhs.ca.gov/forms/html/contracts.htm]
Attachment 13	Work Plan(s)
Attachment 14	Rate Proposal Form
Attachment 15	Voluntary Letter of Intent
Attachment 16	Request for Inclusion on Mailing List
Attachment 17	Conflict of Interest Compliance Certificate
Attachment 18	Small Business Preference Form

T. Sample Contract Forms / Exhibits

Exhibit #	Exhibit Name
Exhibit A1	Standard Agreement
Exhibit A	Scope of Work

Exhibit #	Exhibit Name
Exhibit B	Budget Detail and Payment Provisions
Exhibit B, Attachment I	Special Payment Provisions
Exhibit C – View on-line.	General Terms and Conditions (GTC 306). View or download at this Internet site: http://www.ols.dgs.ca.gov/Standard+Language/default.htm
Exhibit D(F)	Special Terms and Conditions
Exhibit E	Additional Provisions
Exhibit F	Contractor's Release
Exhibit G	HIPAA Business Associate Addendum

U. Program Appendices

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Appendix 1	Glossary
Appendix 2	Eligibility Criteria Chart
Appendix 3	Contents of Data Library
Appendix 4	Quality Measures
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A. Purpose and Background

1) Purpose

In order to improve the quality and cost effectiveness of care in the Medi-Cal Fee-for-Service environment, the California Department of Health Services (CDHS) is soliciting proposals from Disease Management Organizations (DMO) or other firms that are able to implement a Disease Management (DM) Program for a select group of Medi-Cal beneficiaries in the fee-for-service (FFS) population with a primary or secondary diagnosis of HIV/AIDS. While a diagnosis of HIV/AIDS is required for eligibility in the program, all comorbid conditions will be addressed in an effort to improve overall health outcomes of the DM enrolled Member.

The Department intends to make a single contract award to the most responsive and responsible firm earning the highest score. This procurement is open to all eligible firms and/or individuals that meet the qualification requirements, including commercial businesses, nonprofit organizations, State or public universities (including auxiliary organizations) and other entities.

2) Background

The Legislative Analysts Office recognized in their analysis of the 2003-2004 Budget Bill that a significant factor driving projected future medical costs is the rise in medical costs for chronic diseases. Their analysis concluded that the Medi-Cal FFS system is a fragmented and uncoordinated approach to the delivery of care, often not well-suited for the care of individuals suffering from chronic medical conditions. For example, physicians participating in FFS Medi-Cal are not required to communicate with one another about the care that they might be providing to the same patient. That could make it very difficult for a patient with significant health care needs to follow multiple treatment plans that include monitoring themselves, taking medications, and making other lifestyle changes. As a result, Medi-Cal beneficiaries with one or more chronic conditions, when managed poorly, often lead to a decrease in the quality of life, increased costs from avoidable hospitalizations and inappropriate utilization of medical goods and services. Disease Management is one strategy to improve care for patients with the most difficult to control health conditions.

According to the Disease Management Association of America, Disease Management is a system of coordinated healthcare interventions and communications for populations with conditions in which patient self-care efforts are significant. Components of a DM Program shall include, but not be limited to, population identification processes; evidence-based practice guidelines; collaborative practice models to include physician and support-service providers; patient self-management education; process and outcome measurement, evaluation and management; and routine reporting/feedback loops. Recognizing the potential benefits of DM in managing chronic medical conditions, the LAO's analysis concluded that implementation of a disease management program in the Medi-Cal FFS population could result in savings up to several hundred million dollars annually.

Based in part on the LAO's recommendation, the California Department of Health Services (Department or CDHS) drafted, and California Legislature passed into law, Welfare and Institutions Code Section 14132.27, which mandates that CDHS conduct a three year pilot project to test the efficacy of providing a Disease Management program to beneficiaries with chronic disease conditions in the Medi-Cal program. HIV/AIDS is a disease that may be well served by a DM program.

Advances in the treatment of Human Immunodeficiency Virus (HIV) infection have led to an increased prevalence of adverse effects of drugs used to treat HIV and concurrent medical conditions that would occur in the absence of HIV. These long-term complications have put

HIV infection in the realm of chronic diseases. CDHS proposes implementation of a Medi-Cal DM program for beneficiaries with the HIV/AIDS chronic condition through an Administrative model. A Disease Management program shall include, but not be limited to, the use of evidence-based practice guidelines, supporting adherence to care plans, providing patient education, monitoring, and strategies for healthy lifestyle changes.

The HIV/AIDS Disease Management Pilot Program (DMPP) will provide eligible beneficiaries with a range of services that enable them to remain in the least restrictive and most homelike environment while receiving the medical care necessary to protect their health and well-being. The HIV/AIDS DMPP will provide DM services to those persons who meet all of the following requirements and are not otherwise excluded: are Medi-Cal eligible; are 22 years of age or older; and have a primary or secondary diagnosis of HIV/AIDS.

The DMO will not provide direct medical services such as preventative care, authorization or denials of referrals, emergency care, or inpatient hospital services; these services will continue to be provided through the Medi-Cal FFS system. The DMO will provide a wide array of education and supportive services. The DMO will not be required to provide or arrange for provisions of the full scope of Medi-Cal services set forth in California Code of Regulations (CCR), Title 22, Chapter 3, Article 4, beginning with section 51301.

The goal of the DMPP is to determine the efficacy of providing a DM benefit to FFS Medi-Cal beneficiaries with a diagnosis of HIV/AIDS. CDHS will enlist the services of a third party evaluator to determine the efficacy of the pilot program by measuring results for the following: 1) provision of DM services as a cost neutral benefit during the pilot program and 2) improved health outcomes for DM Members during the pilot program and 3) projections for future program savings that may result from expanding the DM benefit beyond the pilot program.

B. Time Schedule

Below is the tentative time schedule for this procurement.

Event	Date	Time (If applicable)
RFP Released	08/23/06	
Questions Due	09/01/06	4:00 p.m.
Voluntary Pre-Proposal Conference	09/14/06	2:30 p.m. - 4:30 p.m.
Voluntary Letter of Intent & Voluntary Request for Inclusion on Mailing List	09/20/06	4:00 p.m.
Proposal Due Date	10/18/06	4:00 p.m.
Notice of Intent to Award Posted	12/15/06	
Protest Deadline	12/22/06	5:00 p.m.

Event	Date	Time (If applicable)
Contract Award Date	12/26/06	
Proposed Start Date of Agreement	January 2, 2007	

C. Contract Term

The term of the resulting agreement is expected to be 43 months and is anticipated to be effective from January 2, 2007 through July 31, 2010. There may be up to two (2) separate extensions to this Contract of twelve (12) months each. The agreement term may change if CDHS makes an award earlier than expected or if CDHS cannot execute the agreement in a timely manner due to unforeseen delays. CDHS reserves the right to extend the term of the resulting agreement via an amendment as necessary to complete or continue the services. Contract extensions are subject to satisfactory performance, funding availability, and may require approval by the Department of General Services.

The resulting contract will be of no force or effect until it is signed by both parties and approved by the Department of General Services, if required. The Contractor is hereby advised not to commence performance until all approvals have been obtained. Should Contractor commence performance before all approvals are obtained, Contractor services shall be considered to have been volunteered.

D. Proposer Questions

Immediately notify CDHS if clarification is needed regarding the services sought or questions arise about the RFP and/or its accompanying materials, instructions, or requirements. Put the inquiry in writing and transmit it to CDHS as instructed below. At its discretion, CDHS reserves the right to contact an inquirer to seek clarification of any inquiry received.

Proposers that fail to report a known or suspected problem with the RFP and/or its accompanying materials or fail to seek clarification and/or correction of the RFP and/or its accompanying materials shall submit a proposal at their own risk. In addition, if awarded the contract, the successful Proposer shall not be entitled to additional compensation for any additional work caused by such problem, including any ambiguity, conflict, discrepancy, omission, or error.

If an inquiry appears to be unique to a single firm or is marked "Confidential", CDHS will mail, email, or fax a response only to the inquirer if CDHS in its sole discretion concurs with the Proposer's claim that the inquiry is sensitive or proprietary in nature. If CDHS does not concur, the inquiry will be answered in the manner described herein and the Proposer will be so notified. Inquiries and/or responses that CDHS agrees should be held in confidence shall be held in confidence only until the Notice of Intent to Award is posted at which time all documents related to this RFP become public record.

To the extent practical, inquiries shall remain as submitted. However, CDHS may consolidate and/or paraphrase similar or related inquiries.

1. What to include in an inquiry

- a. Inquirer's name, name of firm submitting the inquiry, mailing address, email address, area code and telephone number, and fax number.
- b. A description of the subject or issue in question or discrepancy found.

- c. RFP section, page number or other information useful in identifying the specific problem or issue in question.
- d. Remedy sought, if any.

A prospective Proposer that desires clarification about specific RFP requirements and/or whose inquiry relates to sensitive issues or proprietary aspects of a proposal may submit individual inquiries that are marked "Confidential". The Inquirer must include with its inquiry an explanation as to why it believes questions marked "Confidential" are sensitive or surround a proprietary issue.

2. Question deadline

Proposers are encouraged to submit written inquiries about this RFP to CDHS no later than two (2) working days before the Pre-Proposal Conference date so answers can be prepared in advance. Notwithstanding the initial question submission deadline, CDHS will accept written or faxed inquiries received by **4:00 p.m. on September 1, 2006**. At its discretion, CDHS may contact an inquirer to seek clarification of any inquiry received.

Notwithstanding the initial question submission deadline, CDHS will accept questions or inquiries about the following issues if such inquiries are received prior to the proposal submission deadline:

- a. DVBE participation requirements and how to complete the DVBE attachments,
- b. The reporting of RFP errors or irregularities.

3. How to submit questions

Submit inquiries using one of the following methods.

U.S. Mail	Hand Delivery and Overnight Express or Fax:
Questions RFP 06-55519 Attn: Cristyn Lao or Subran Singh CA Department of Health Services Office of Medi-Cal Procurement HIV/AIDS Disease Management Pilot Program Mail Station 4200 P.O. Box 997413 Sacramento, CA 95899-7413	Questions RFP 06-55519 Attn: Cristyn Lao or Subran Singh CA Department of Health Services HIV/AIDS Disease Management Pilot Program MS 4200 1501 Capitol Avenue, Ste. 71.5131 Sacramento, CA 95814 or Fax: (916) 440-7369

Proposers submitting inquiries by fax are responsible for confirming the receipt of all faxed materials by the question deadline.

Call Cristyn Lao or Subran Singh at (916) 552-8006 to confirm faxed transmissions.

4. Proposer warning

- a. CDHS' internal processing of U.S. mail may add 48 hours **or more** to the delivery time. If questions are mailed, consider using certified or registered mail and request a receipt upon delivery.

- b. For hand deliveries, including special courier and messenger services, allow sufficient time to locate on street metered parking and to check in at the security station. Ask security personnel to call Cristyn Lao or Subran Singh (or their designee) at (916) 552-8006 to arrange for question pickup and receipt issuance by OMCP staff.
- c. Due to parking restrictions at this location, express delivery companies (Fed Ex, UPS, DHL, etc.) deliver to the building's loading dock area. CDHS internal processing of express deliveries may add 12-24 hours to the delivery time, and should be considered when determining your shipping date and time.

Note: See Appendix 6 for map and directions to the Office of Medi-Cal Procurement (OMCP).

5. Verbal questions

Verbal inquiries are discouraged. CDHS reserves the right not to accept or respond to verbal inquiries. **Spontaneous verbal remarks provided in response to verbal inquiries are unofficial and are not binding on CDHS unless CDHS subsequently confirms in writing receipt and acceptance of such question.**

Direct all verbal requests for DVBE assistance to CDHS' DVBE Coordinator at (916) 650-0205 up to the proposal deadline.

E. Data Library

A Data Library will be established on **August 23, 2006**. The Data Library will be in an electronic format in its entirety. All or part of the data library may be downloaded from the OMCP website located at www.dhs.ca.gov/omcp starting on August 23, 2006. OMCP will provide the data library on CD upon request. The requestor will be required to submit a blank CD-R for use by OMCP staff. Once recorded, the CD will be returned to the requestor for use. The turnaround time will be 24 hours or less upon receipt of the CD-R in OMCP.

1. Requesting Data Library Material via CD-R

Requests for copies of data library material via CD-R, and submission of blank CD-R's should be submitted by one of the following methods. Include the following information in the request:

- a. Name of requester
- b. Title of requester
- c. Firm represented
- d. Telephone number
- e. Fax number
- f. Email address, if applicable

U.S. Mail	Hand Delivery and Overnight Express:
Questions RFP 06-55519 Attn: Cristyn Lao or Subran Singh CA Department of Health Services Office of Medi-Cal Procurement HIV/AIDS Disease Management Pilot Program Mail Station 4200 P.O. Box 997413 Sacramento, CA 95899-7413	Questions RFP 06-55519 Attn: Cristyn Lao or Subran Singh CA Department of Health Services HIV/AIDS Disease Management Pilot Program MS 4200 1501 Capitol Avenue, Ste. 71.5131 Sacramento, CA 95814
Telephone: Contact Cristyn Lao or Subran Singh at (916) 552-8006 for questions regarding the data library.	

2. Proposer warning

- a. CDHS' internal processing of U.S. mail may add 48 hours or more to the delivery time. If a CD request is mailed, consider using certified or registered mail and request a receipt upon delivery.
- b. For hand deliveries, including special courier and messenger services, allow sufficient time to locate on street metered parking and to check in at the security station. Ask security personnel to call Cristyn Lao or Subran Singh (or their designee) at (916) 552-8006 to arrange for CD pickup by OMCP staff (if required).
- c. Due to parking restrictions at this location, express delivery companies (Fed Ex, UPS, DHL, etc.) deliver to the building's loading dock area. CDHS internal processing of express deliveries may add 12-24 hours to the delivery time, and should be considered when determining your shipping date and time.

Note: See Appendix 6 for map and directions to OMCP.

3. Contents

The Data Library contains various documentation and information that Proposers may find beneficial in the preparation of their proposal responses. See Appendix 3 to review a list of the documentation and information contained in the data library.

Data Library materials may be periodically updated and/or additional documents may be added. Proposers on the mailing list will be notified by administrative bulletin if revisions to the data library are made. Proposers may wish to periodically review the OMCP website at www.dhs.ca.gov/omcp for any announcements regarding revisions to the data library.

F. Pre-Proposal Conference

CDHS will conduct a voluntary Pre-Proposal Conference in Sacramento on **September 14, 2006**, beginning at 2:30 p.m. at the following location:

California Department of Health Services
 1500 Capitol Avenue, 1st Floor Auditorium
 Sacramento, CA 95814

Note: See Appendix 6 (page 5) for map to this location. Additional time should be allowed prior to the conference to find appropriate on-street or garage parking and receive security pass. Signs will be posted in the lobby to direct you to the auditorium.

Prospective Proposers that intend to submit a proposal are encouraged to attend the voluntary Pre-Proposal Conference. It shall be each prospective Proposer's responsibility to attend the Pre-Proposal Conference promptly at 2:30 p.m. CDHS reserves the right not to repeat information for participants that join the conference after it has begun. There will be a 2 hour time limit for this pre-proposal conference.

If a potential prime contractor is unable to attend the voluntary Pre-Proposal Conference, an authorized representative of its choice may attend on its behalf. The representative may only sign-in for one potential prime contractor. Subcontractors may represent a potential prime contractor at the voluntary Pre-Proposal Conference.

The voluntary Pre-Proposal Conference is a public event or meeting and anyone can attend. The purpose of the conference is to:

1. Allow prospective Proposers to ask questions about the services sought or RFP requirements and/or instructions.
2. Share the answers to general questions and inquiries received before and during the conference.

Spontaneous verbal remarks provided in response to questions/inquiries are unofficial and are not binding on CDHS unless later confirmed in writing by CDHS.

Carefully review this RFP before the conference date to become familiar with the qualification requirements, scope of work and proposal content requirements. Conference attendees are encouraged to have their copy of this RFP available for viewing during the conference.

Refer to the RFP section entitled, "Proposer Questions" for instructions on how to submit written questions and inquiries before the conference date.

If CDHS is unable to respond to all inquiries received before and/or during the conference, CDHS will provide written answers shortly thereafter. CDHS reserves the right to determine which inquiries will be answered during the conference and which will be answered later in writing.

After the conference, CDHS will summarize all general questions and issues raised before and during the conference and mail, email, or fax the summary and responses to all persons who received this RFP and to those who attended / participated in the conference. If an inquiry appears to be unique to a single firm or is marked "Confidential", CDHS will mail, email or fax a response only to the inquirer if CDHS concurs with the inquirer's claim that the inquiry is sensitive or proprietary in nature. If CDHS does not concur, the inquiry will be answered in the manner described herein and the inquirer will be so notified. Inquiries and/or responses that CDHS agrees should be held in confidence shall be held in confidence only until the Notice of Intent to Award is posted.

To the extent practical, inquiries shall remain as submitted. However, CDHS may consolidate and/or paraphrase similar or related inquiries.

Conference attendees are responsible for their costs to attend/participate in the conference. Those costs cannot be charged to CDHS or included in any cost element of a Proposer's price offering.

G. Reasonable Accommodations

For individuals with disabilities, the Department will provide assistive services such as sign-language interpretation, real-time captioning, note takers, reading or writing assistance, and conversion of Pre-Proposal Conference handouts, Request for Proposal, questions/answers, RFP Addenda, applicable library materials, or other Administrative Notices into Braille, large print, audiocassette, or computer disk. To request such services or copies in an alternate format, please call the number below no later than **August 29, 2006** to arrange for reasonable accommodations.

Cristyn Lao or Subran Singh
Office of Medi-Cal Procurement
Program telephone number (916) 552-8006
(TTY) California Relay telephone number 711-1-800-735-2929

NOTE: The range of assistive services available may be limited if requests are received less than ten State working days prior to the conference date or requestors cannot allow ten or more State working days prior to date the alternate format material is needed.

H. Voluntary Non-Binding Letter of Intent & Voluntary Request for Inclusion on Mailing List

1. General information - Voluntary Non-Binding Letter of Intent

Prospective Proposers are asked to voluntarily indicate either their intention to submit a proposal or to indicate the reason(s) for not submitting a proposal. Failure to submit the Letter of Intent will not affect the acceptance of any proposal. The Letter of Intent is not binding and prospective Proposers are not required to submit a proposal merely because a Letter of Intent is submitted. **Use the Letter of Intent (Attachment 15) for this purpose.** Regardless of delivery method, voluntary Letter of Intent must be received by **4:00 p.m. on September 20, 2006.**

2. General information - Voluntary Request for Inclusion on Mailing List

CDHS recognizes that not all parties are interested in continuing to receive updates concerning the RFP. In addition, printing and mailing updates to all interested parties on the mailing list is costly to the Department. Therefore, please be advised that while the Letter of Intent is voluntary, the Department will continue to provide automatic updates concerning the RFP only to prospective Proposers who have provided a Request for Inclusion on Mailing List form, **Attachment 16.** Regardless of delivery method, Voluntary Request for Inclusion on Mailing List form is due by **4:00 p.m. on September 20, 2006.**

It is incumbent upon any Proposer who has not submitted a Voluntary Request for Inclusion on the Mailing List form, but intends to bid on this contract, to monitor the website at <http://www.dhs.ca.gov/omcp> for any administrative bulletins and/or addenda updates to the RFP.

A Proposer may also call (916) 552-8006 to request any administrative bulletins and/or RFP addenda updates to the RFP.

3. Submitting the Letter of Intent & Voluntary Request for Inclusion on Mailing List

Submit the Letter of Intent & Voluntary Request for Inclusion on Mailing List using one of the following methods.

U.S. Mail	Hand Delivery and Overnight Express or Fax:
Letter of Intent/Mailing List RFP 06-55519 Attn: Cristyn Lao or Subran Singh CA Department of Health Services Office of Medi-Cal Procurement HIV/AIDS Disease Management Pilot Program Mail Station 4200 P.O. Box 997413 Sacramento, CA 95899-7413	Letter of Intent/Mailing List RFP 06-55519 Attn: Cristyn Lao or Subran Singh CA Department of Health Services HIV/AIDS Disease Management Pilot Program MS 4200 1501 Capitol Avenue, Ste. 71.5131 Sacramento, CA 95814 <p style="text-align: center;">or</p> Fax: (916) 440-7369

Proposers transmitting a Letter of Intent by fax are responsible for confirming the receipt of the faxed Letter of Intent by the stated deadline.

Call Cristyn Lao or Subran Singh at (916) 552-8006 to confirm faxed transmissions.

4. Proposer warning

- a. CDHS' internal processing of U.S. mail may add 48 hours or more to the delivery time. If forms are mailed, consider using certified or registered mail and request a receipt upon delivery.
- b. For hand deliveries, including special courier and messenger services, allow sufficient time to locate on street metered parking and to check in at the security station. Ask security personnel to call Cristyn Lao or Subran Singh (or their designee) at (916) 552-8006 to arrange for pickup and receipt issuance by OMCP staff.
- c. Due to parking restrictions at this location, express delivery companies (Fed Ex, UPS, DHL, etc.) deliver to the building's loading dock area. CDHS internal processing of express deliveries may add 12-24 hours to the delivery time, and should be considered when determining your shipping date and time.

Note: See Appendix 6 for map and directions to OMCP.

I. Scope of Work

See Exhibit A entitled, "Scope of Work" that is included in the Sample Contract Forms and Exhibits section of this RFP. Exhibit A contains a detailed description of the services and work to be performed as a result of this procurement.

J. Qualification Requirements

Failure to meet the following requirements by the proposal submission deadline will be grounds for CDHS to deem a Proposer nonresponsive. If deemed nonresponsive, the Department may choose not to thoroughly review or score proposals that fail to meet these requirements. In submitting a proposal, each Proposer must certify and prove that it possesses the following qualification requirements:

1. At least two (2) years of experience developing, implementing and managing disease management or case management programs. All experience must have occurred within the past five (5) years.
2. The Proposer must have current disease management accreditation by one of the following nationally recognized accrediting agencies: Joint Commission on Accreditation of Healthcare Organizations (JCAHO), National Committee on Quality Assurance (NCQA), or Utilization Review Accreditation Commission (URAC). Accreditation must be maintained throughout the life of the contract.
3. Proposers must certify they have read and are willing to comply with all proposed terms and conditions addressed in the RFP section entitled, "Contract Terms and Conditions", including the terms appearing in the referenced contract exhibits.
4. Corporations must certify they are in good standing and qualified to conduct business in California.
5. Non-profit organizations must certify they are eligible to claim nonprofit status.
6. Proposers must certify they are financially stable and solvent and have adequate cash reserves to meet all financial obligations while awaiting reimbursement from the State.

The **successful** Proposer must submit one of the following after the contract award is made to their firm. This submission must be received prior to the contract effective date.

- a) An audit report (only the three paragraph statement including the auditor's opinion) from an independent auditor. The report must not list any "going concern" issue regarding the Proposer's ability to operate for the upcoming year from the end of the audit's fieldwork. The audit report must be from an audit completed within the last 12 months from the date of this RFP release. However, neither financial documents nor audit documents shall be submitted.
 - b) A letter of credit from an FDIC insured financial institution for at least \$2,000,000 that is current on the date that the letter of credit is submitted to CDHS. This letter will serve as an indication that the Proposer has access to adequate operating capital to undertake the DMPP. No financial documentation other than the letter of credit shall be submitted.
7. Proposers must certify their proposal response is not in violation of Public Contract Code (PCC) Section 10365.5 and, if applicable, must identify previous consultant services contracts that are related in any manner to the services, goods, or supplies being acquired in this solicitation. Detailed requirements are outlined in **Attachment 8**.

PCC Section 10365.5 generally prohibits a person, firm, or subsidiary thereof that has been awarded a consulting services contract from submitting a bid for and/or being awarded an agreement for, the provision of services, procurement of goods or supplies, or any other related action that is required, suggested, or otherwise deemed appropriate in the end product of a consulting services contract (i.e., a follow-on contract).

PCC Section 10365.5 does not apply to any person, firm, or subsidiary thereof that is awarded a subcontract of a consulting services agreement that totals no more than 10 percent of the total monetary value of the consulting services agreement. Consultants and employees of a firm that provides consulting advice under an original consulting contract are not prohibited from providing services as employees of another firm on a follow-on contract, unless the persons are named contracting parties or named parties in a subcontract of the original contract.

PCC Section 10365.5 does not distinguish between intentional, negligent, and/or inadvertent violations. A violation could result in disqualification from bidding, a void contract, and/or imposition of criminal penalties.

8. Proposers must either achieve actual DVBE participation **or** satisfy the requirements of a Good Faith Effort (GFE) to meet the DVBE participation requirements. Detailed requirements are outlined in **Attachment 9** (DVBE Instructions/Forms). This requirement applies if you offer a total cost or price that is \$10,000 or more.
9. The winning Proposer must supply, before contract execution, proof of liability insurance that meets the requirements of Provision 6 of Exhibit E entitled, Additional Provisions.
10. Proposers must certify and submit proof that no prohibited conflict of interest exists as instructed on **Attachment 17**, Conflict of Interest Compliance Certificate.

K. Proposal Format and Content Requirements

1. General instructions

- a. Each firm or individual may submit only one proposal.
For the purposes of this paragraph, "firm" includes a parent corporation of a firm and any other subsidiary of that parent corporation. If a firm or individual submits more than one proposal, DHS will reject all proposals submitted by that firm or individual.

A firm or individual proposing to act as a prime contractor may be named as a subcontractor in another proposer's proposal. Similarly, more than one proposer may use the same subcontractors and/or independent consultants.

- b. Develop proposals by following all RFP instructions and/or clarifications issued by CDHS in the form of question and answer notices, clarification notices, Administrative Bulletins or RFP addenda.
- c. Before submitting a proposal, seek timely written clarification of any requirements or instructions that are believed to be vague, unclear or that are not fully understood.
- d. In preparing a proposal response, all narrative portions should be straightforward, detailed and precise. CDHS will determine the responsiveness of a proposal by its quality, not its volume, packaging or colored displays.
- e. Arrange for the timely delivery of the proposal package(s) to the address specified in this RFP. Do not wait until shortly before the deadline to submit the proposal.

2. Format requirements

- a. Assemble the rate proposal and narrative proposal as follows:

1) Assembly of Rate Proposal

- a) Submit one (1) original rate proposal (**Attachment 14**), five (5) copies, and one (1) copy on CD-ROM in any CDHS standard platform (i.e. Word, Excel, and readable Adobe).
- b) Assemble the original rate proposal and five (5) copies. Place the rate proposal marked "Original" on top, followed by the five (5) extra copies. Place the original, all rate proposal copies, and the CD-ROM copy in a single envelope or

package, if possible. Seal the envelope or package and clearly label the package or envelope as the "Rate Proposal".

- c) Each proposal set must be complete with a copy of all required attachments and documentation.
- d) If you submit more than one envelope or package, carefully label each one and mark on the outside of each envelope or package "1 of X", "2 of X", etc.

2) Assembly of Narrative Proposal

- a) Submit one (1) original narrative proposal, five (5) copies or sets, and one (1) copy on CD-ROM in any CDHS standard platform (i.e. Word, Excel, and Adobe). Assemble the original narrative proposal and five (5) copies. Place the narrative proposal set marked "Original" on top, followed by the five (5) extra copies. Place all narrative proposal copies, the original and CD-ROM copy in a single envelope or package, if possible. Seal the envelope or package and clearly label the packages or envelopes as the "Narrative Proposal".
- b) Each proposal set must be complete with a copy of all required attachments and documentation.
- c) If you submit more than one envelope or package, carefully label each one and mark on the outside of each envelope or package "1 of X", "2 of X", etc.

Note: Make sure that Attachment 14, Rate Proposal form, is excluded from the narrative proposal original, copy sets, and CD-ROM. Follow the assembly instructions for submitting Attachment 14 contained in Section K.2.a.1.

3) Packaging of Rate Proposal and Narrative Proposal

The rate proposal may be mailed or delivered in a common shipping box but must be in a separate sealed and clearly identifiable packaging from the narrative proposal.

b. Format the narrative portions of the proposal as follows:

- 1) Use one-inch margins at the top, bottom, and both sides.
 - 2) Use an Arial font of not less than 11 points in size.
 - 3) Print pages single-sided on white bond paper.
 - 4) Sequentially paginate the pages in each section. It is not necessary to paginate items in the Forms Section or Appendix Section.
- c. Bind each proposal set in a way that enables easy page removal. Loose leaf or three-ring binders are acceptable.
 - d. All RFP attachments that require a signature must be signed in ink, preferably in a color other than black.
 - 1) Have a person who is authorized to bind the proposing firm sign each RFP attachment that requires a signature. Signature stamps are not acceptable.
 - 2) Place the originally signed attachments in the proposal set marked "Original".

- 3) The RFP attachments and other documentation placed in the proposal copies may reflect photocopied signatures.
 - 4) For the CD-ROM copy: Any document requiring a signature or any document that cannot be electronically copied should be scanned and placed on the CD as a PDF file.
- e. Do not mark any portion of your proposal response, any RFP attachment or other item of required documentation as “Confidential” or “Proprietary”. CDHS will disregard any language purporting to render all or portions of a proposal confidential.

3. Content requirements

This section specifies the order and content of each proposal. Assemble the materials in each proposal set in the following order:

a. Proposal Cover Page

A person authorized to bind the Proposer must sign the Proposal Cover Page (**Attachment 1**). If the Proposer is a corporation, a person authorized by the Board of Directors to sign on behalf of the Board must sign the Proposal Cover Page.

b. Table of Contents

Properly identify each section and the contents therein. Paginate all items in each section with the exception of those items placed in the Forms Section and Appendix Section.

c. Executive Summary Section

This section must not exceed three (3) pages in length. Evaluators will not review or evaluate excess pages.

In preparing the Executive Summary, do not simply restate or paraphrase information in this RFP. Describe or demonstrate, in the Proposer’s own words, the following information.

- 1) An understanding of CDHS’ needs and the importance of this project.
- 2) The tangible results that are expected to be achieved.
- 3) A sincere commitment to perform the scope of work in an efficient and timely manner.
- 4) How this project will be effectively integrated into the proposing firm’s current obligations and existing workload.
- 5) Why the proposing firm should be chosen to undertake this work at this time.

d. Agency Capability Section

- 1) Include a brief history of the proposing firm, including:

- a) Date of establishment. If applicable, explain any changes in business history or organizational structure that will assist CDHS in determining the qualifications of the proposing firm.
 - b) A description of the proposing firm's goals that are relevant, closely related, or will complement this project.
 - c) A description of the firm's past record of business integrity and history of being responsive to past contractual obligations.
 - d) A description of the firm's knowledge and understanding of the special needs of the Medi-Cal fee-for-service population with HIV/AIDS addressed in this RFP and the challenges in providing quality, cost effective care to this population.
- 2) Describe experience that qualifies the proposing firm to undertake this project. At a minimum, demonstrate the proposing firm possesses two (2) years of experience of the types listed in this section. All experience must have occurred within the past five (5) years. It is possible to attain the experience types listed below during the same time period. Proposers must have experience related to:
 - a. Promoting adherence to nationally recognized evidence-based guidelines in order to improve a Member's health status.
 - b. Reducing hospital admissions and inappropriate use of emergency services.
 - c. Promoting establishment of a medical home.
 - d. Coordination of Member care including establishment of collaboration between providers, the Member, and the community.
 - e. Facilitating Member's access to care.
 - f. Providing disease management or case management services through a health advice line.
 - g. Promoting appropriate use of medication, goods, and services.
 - h. Providing Member education and self-management skills.
 - i. Achieving Member and provider satisfaction in a disease management and/or case management program(s).
 - j. Appropriate use of technology for management and monitoring of a chronic disease condition and comorbidities.
 - k. Outcome measurement, profiling and reporting of Member health status.
 - l. Routine reporting and feedback loops for quality assurance purposes.
 - m. Population identification processes for enrollment purposes.
- 3) Briefly, describe the accounts or work projects begun and/or completed in the past five years that involved services similar in nature or closely related to the Scope of Work in this RFP. For each account or project listed, include the following information:
 - a) Name of agency or firm for whom services were performed,
 - b) Duration or length of the project,
 - c) Total cost or value of the project,
 - d) Indicate if the account or project is "active/open" or "closed/settled",
 - e) Describe briefly the type and nature of the services performed.
- 4) Briefly describe any experience that demonstrates the proposing firm's ability to establish and maintain effective working relationships with government entities, local community based organizations, and private nonprofit organizations.
- 5) Identify three client references serviced within the past five years that can confirm their satisfaction with the Proposer's services and confirm that the Proposer provided timely and effective services or deliverables. Use the Client References

(Attachment 4) for this purpose. **Place the completed Client References form in the Forms Section of the proposal.**

e. Work Plan Section

1) Overview

- a) CDHS is interested in proposals that provide well-organized, comprehensive, and technically sound business solutions. Vague explanations will undermine the proposing firm's credibility and will result in reduced proposal scores.
- b) The Work Plan must include an in-depth discussion and description of the methods, approaches, and step-by-step actions that will be carried out to fulfill all Scope of Work requirements found in Exhibit A.
- c) If the nature of a task or function hinders specific delineation of in-depth methods and procedures (e.g., a task is dependent upon a future action or multiple approaches may be used), explain the probable methods, approaches, or procedures that will be used to accomplish the task or function. Also, describe, in this instance, how the proposing firm will propose the ultimate strategies and detailed plans to CDHS for full consideration and approval before proceeding to carry out the project.

2) Rejection of tasks, activities or functions

- a) If full funding does not become available, is reduced, or CDHS determines that it does not need all of the services described in this RFP; CDHS reserves the right to offer an amended contract for reduced services and/or fewer beneficiaries at the same case management fee or per case per month rate.

3) Work Plan Content

Complete a Work Plan (**Attachment 13**) for each of the work plan submission requirements stated in section K.3.e.4 below.

- a) Briefly, explain or describe the overall approach and/or methods that you will use to accomplish the scope of work.
- b) Explain why you chose the particular approaches and methods that are proposed (e.g., proven success or past effectiveness, etc.).
- c) If applicable, explain what is unique, creative, or innovative about your proposed approaches and/or methods.
- d) If you envision any major complications or delays at any stage of performance, describe those complications or delays and include a proposed strategy for overcoming those issues. Likewise, indicate if you do not anticipate any major complications or delays.
- e) If, for any reason, the Work Plan does not wholly address each Scope of Work (SOW) requirement, fully explain each omission. Likewise, indicate if your Work Plan contains no omissions.
- f) Indicate the assumptions you made in developing the Work Plan in response to CDHS' Scope of Work. For each assumption listed, explain the reasoning or

rationale that led you to that assumption. Likewise, indicate if no assumptions were made.

- g) If applicable, identify any additional Contractor and/or State responsibilities that you included in your Work Plan that you believe are necessary to ensure successful performance, but you believe were omitted from CDHS' Scope of Work. Likewise, indicate if no additional Contractor and/or State responsibilities, outside of those identified in CDHS' SOW were included in your Work Plan.
- h) Identify the specific tasks/activities and functions that you will perform in the order you believe they will occur. Include the following in-depth information for each task/activity or function in the work plan:
 - i. Indicate who will have primary responsibility for performing each major task/activity or function. If known, identify the name and position title of all key personnel, subcontractors and/or consultants that will perform the work.

If the responsible party is unknown or not yet identified, identify a staff position title or project name/title and indicate "TBD" which is the abbreviation for "to be determined."

- ii. Include a performance time line for each major task/activity or function. Indicate the approximate beginning and ending month and year. If a task/activity or function will only occur in one contract period or year, indicate the beginning and ending month and year.

If desirable, in addition to start and end dates, you may use other terms such as implementation, operations, continuous, phase-out, etc. to describe the performance time line. In doing so, you must define the meaning of each unique term that you use.

- iii. Explain/describe how the Proposer intends to measure or prove successful completion of each major task, function or activity.

If applicable, identify the key events or outcomes that will signify completion or identify tangible items (deliverables) that will result at the conclusion of the various tasks/activities or functions.

4) Work Plan Submission Requirements

Proposers shall submit the following work plans to meet all of the Scope of Work requirements and specified submission requirements.

- i. Management Information System (MIS) Plan
 - a) Proposer shall submit a MIS plan that describes the firm's ability to perform the responsibilities outlined in Exhibit A, Provision 5.B, Management Information System.
 - b) Proposer shall describe the firm's experience that qualifies them to perform the MIS requirements.
 - c) Proposer shall describe any innovative MIS activities that demonstrate their commitment to exceed the minimum requirements set forth in this RFP.

ii. Quality Improvement System (QIS) Plan

- a) Proposer shall submit a QIS plan that describes the firm's ability to perform the responsibilities outlined in Exhibit A, Provision 5.C, Quality Improvement System.
- b) Proposer shall describe the firm's experience that qualifies them to perform the QIS requirements.
- c) Proposer shall describe the firm's experience in monitoring and evaluating delegated quality improvement activities.
- d) Proposer shall describe the firm's experience in disseminating quality improvement activities and outcomes to stakeholders (e.g. physicians, pharmacists, clinics, hospitals) and incorporating feedback to improve quality.
- e) Proposer shall describe the firm's experience in cooperating with an external evaluation agency.
- f) Proposer shall describe any innovative QIS activities that demonstrate their commitment to exceed the minimum requirements set forth in this RFP.

iii. Utilization Monitoring (UM) Plan

- a) Proposer shall submit a UM plan that describes the firm's ability to perform the responsibilities outlined in Exhibit A, Provision 5.D, Utilization Monitoring.
- b) Proposer shall describe the firm's experience in developing and implementing UM strategies to minimize inappropriate utilization of emergency department services, acute care hospitalizations, specialist services, medications and other goods and services.
- c) Proposer shall describe the firm's experience in using data and reports to improve utilization of goods and services.
- d) Proposer shall describe any innovative UM activities that demonstrate their commitment to exceed the minimum requirements set forth in this RFP.

iv. Member Services Plan

a) Members Rights

- 1) Proposer shall submit a Member Services Plan that describes the firm's ability to perform the responsibilities outlined in Exhibit A, Provision 5.E, Members Rights.
- 2) Proposer shall describe the firm's experience that demonstrates their ability to develop and implement policies and procedures addressing Members rights and responsibilities.
- 3) Proposer shall submit an organizational chart of proposed or existing staff for Member Services which demonstrates that staffing is sufficient to support the Member Services functions.
- 4) Proposer shall submit the staff requirements and training plan that ensures staff performing Member Services functions will be knowledgeable regarding the DMPP.
- 5) Proposer shall describe the firm's experience in developing and disseminating program information and Member Services Guides.
- 6) Proposer shall describe the firm's experience that demonstrates their ability to maintain, collect, store, retrieve and ensure confidentiality of Members records.

- 7) Proposer shall describe any innovative Member Services activities that demonstrate their commitment to exceed the minimum requirements set forth in this RFP

b) Marketing

- 1) Proposer shall submit a Marketing Plan that describes the firm's ability to perform the responsibilities outlined in Exhibit A, Provision 5.F, Member Services – Marketing.
- 2) Proposer shall describe the firm's experience that demonstrates their ability to develop and implement a Marketing Plan.
- 3) Proposer shall describe any innovative marketing activities that demonstrate their commitment to exceed the minimum requirements set forth in this RFP.

c) Scope of Services

- 1) Proposer shall submit a Scope of Services Plan that includes outreach and assessment; enrollment/disenrollment; disease/case management; health advice line; assistance in finding a Medical Home; and Member education. This plan will describe the firm's ability to perform the responsibilities outlined in Exhibit A, Provision 5.G, Member Services – Scope of Services.
- 2) Proposer shall describe the firm's experience that demonstrates their ability to develop and implement policies and procedures for outreach and assessment.
- 3) Proposer shall describe the firm's experience that demonstrates their ability to develop and implement policies and procedures for enrollment/disenrollment.
- 4) Proposer shall describe the firm's experience that demonstrates their ability to develop and implement policies and procedures for disease/case management.
- 5) Proposer shall describe the firm's experience that demonstrates their ability to develop and implement policies and procedures for a health advice line.
- 6) Proposer shall describe the firm's experience that demonstrates their ability to develop and implement policies and procedures for Member education.
- 7) Proposer shall describe any innovative disease management services that demonstrate the firm's commitment to exceed the minimum requirements set forth in this RFP.

d) Access and Availability

- 1) Proposer shall submit an Access and Availability Plan that describes the firm's ability to perform the responsibilities outlined in Exhibit A, Provision 5.H, Member Services – Access and Availability.
- 2) Proposer shall describe the firm's experience that demonstrates their ability to develop and implement policies and procedures for accessing Member services.
- 3) Proposer shall describe any innovative access standards that demonstrate their commitment to exceed the minimum requirements set forth in this RFP.

v. Provider Services Plan

- a) Proposer shall submit a provider education plan that describes the firm's ability to perform the responsibilities outlined in Exhibit A, Provision 5.I, Provider Services.
- b) Proposer shall describe the firm's experience that qualifies them to develop and implement provider education requirements.
- c) Proposer shall describe how the firm will employ the use of feedback to improve the quality of care and promote Member adherence to the Individualized Treatment Plan (ITP).
- d) Proposer shall describe any innovative provider service activities that demonstrate their commitment to exceed the minimum requirements set forth in this RFP.

f. Management Plan Section

- 1) Describe how the Proposer will maintain the organizational and administrative capabilities to perform its duties and responsibilities under the Contract as specified in Exhibit A, Provision 5.A, Contract Administration. Include a brief description of the following:
 - a) The organizations governing body.
 - b) Policies and procedures for the conduct of the business, which provides effective controls for the organization.
 - c) The process to ensure medical decisions are rendered by qualified medical personnel.
 - d) The process that ensures medical decisions, including those made by subcontractors, is not unduly influenced by fiscal and administrative management.
 - e) The process to ensure that medical protocols and rules of conduct for medical personnel are followed.
 - f) The role of the medical director in resolving disputes related to member and provider services.
 - g) Reports that will be submitted which ensure contract requirements are being met.
- 2) Describe how your firm will effectively coordinate, manage and monitor the efforts of the assigned staff, including subcontractors and/or consultants, if any, to ensure that all tasks, activities and functions are completed effectively and in a timely manner.
- 3) Describe the fiscal accounting processes and budgetary controls your firm will use to ensure the responsible use and management of contract funds and accurate invoicing.
- 4) Include an organization chart. Instructions are explained in the Appendix section.
Place the organization chart in the Appendix section of your proposal.

g. Project Personnel Section

- 1) In this section, describe your proposed staffing plan. In the staffing plan, include at a minimum:
 - a) Identify by name and/or position title, each key staff person that will have primary responsibility for managing, directing, overseeing and/or coordinating the work of assigned staff, subcontractors and/or independent consultants and those who will

maintain effective communications with CDHS (i.e., Project or Program Manager, Project or Program Director, Contract Manager, etc.).

- i. Briefly, describe each person's expertise, capabilities and credentials.
 - ii. Emphasize any relevant past experience in managing, directing, overseeing, or coordinating other government projects.
 - b) By position, indicate the full time equivalent (FTE) or percentage of staff time devoted to this project (e.g., full time = 1.0, 1/2 time = .50, 3/4 time = .75, 1/4 time = .25, projected number of hours, if hourly, etc.).
- 2) Briefly, describe the administrative policies or procedures that will be used to ensure that the proposing firm will recruit and select well-qualified, competent, and experienced in-house staff, subcontractors and/or independent consultants.
- a) If employee recruitment/selection policies or procedures are present in an operations manual, Proposers may cite excerpts from such manuals. Do not simply indicate that such policies exist and do not attach copies of any policies or manuals to the proposal. If deemed necessary, CDHS may request copies of the Proposer's existing manuals or policies.
- 3) Briefly, describe the processes or procedures that will be used to ensure that vacancies are filled expeditiously and that services are continued despite the presence of vacancies.
- 4) If subcontractors (including independent consultants) will be used to perform contract services, proposers must do the following at the time of proposal submission:
- a) Indicate if the Proposer has pre-identified any firms/persons to perform the work or if the Proposer will recruit them later.
 - i. For each pre-identified subcontractor and independent consultant include:
 - A. Full legal name.
 - B. A job description or duty statement that outlines the duties and functional responsibilities that will be assigned to the subcontracted firm or independent consultant.
 - C. A brief explanation as to why the subcontracted firm or independent consultant was chosen. Stress things such as applicable skills, knowledge, capabilities, past experience or accomplishments, availability, reasonableness of rates, notoriety in a field or specialty, etc.
 - D. A 1-2 page resume for each pre-identified subcontractor and independent consultant. **Place all subcontractor and/or consultant resumes in the Appendix Section.** To the extent possible, resumes should not include personal information such as a social security number, home address, home telephone number, marital status, sex, birth date, age, etc.
 - E. A letter of agreement, signed by an official representative of each subcontracted firm or independent consultant. **Place all subcontractor and/or consultant letters of agreement in the Appendix Section.**

Specific subcontractor and/or independent consultant relationships proposed in response to this RFP (i.e., identification of pre-identified subcontractors and independent consultants) shall not be changed during the procurement process or prior to contract execution. The pre-identification of a subcontractor or independent consultant does not affect CDHS' right to approve personnel or staffing selections or changes made after the contract award.

- ii. For subcontractors and/or independent consultants that cannot be identified when the proposal is submitted to CDHS or are to be determined (TBD) after the contract is executed, include:
 - A. An identification of the functions, activities, and responsibilities that will be assigned to each subcontractor and/or independent consultant.
 - B. A description of the process that will be used to obtain CDHS approval of each subcontractor and/or independent consultant selection along with approval of their budgeted costs and assigned responsibilities.

2) Qualifications of health care personnel for health advice line.

h. Facilities and Resources Section

Describe the following as it relates to the Proposer's capacity to perform the scope of work:

- 1) Current office facilities at the Proposer's disposal including number of offices owned or leased, square footage, number of staff housed and physical location or address.
 - a) Proposer must maintain at least one facility in California which will provide access to all Member's records and DMPP operational policies and procedures.
- 2) Current support services and office equipment capabilities immediately available and/or accessible for use in carrying out the proposed scope of work. Include such things as, but not limited to:
 - a) A description of the range and/or type of support services available and number of staff.
 - b) Messenger, delivery, shipping, distribution, or transport capabilities.
 - c) Teleconferencing or telecommunications capabilities.
 - d) Printing/reproduction or photocopying capabilities.
 - e) Computer hardware and system capabilities (i.e., number, type, size, age, capacity and speed of personal computers or work stations and servers; Local Area Network capabilities, Wide Area Network capabilities; data transfer capabilities (disk or tape), data storage capacity, video/graphics capabilities, etc.).
 - f) Software applications in use (word processing applications, spread sheet applications, data base applications, graphics development applications, Web page design applications, unique or other specialized software applications, etc.).

g) Other support functions or capabilities that can be accessed and/or utilized.

- 3) Identify any facilities, support services, or equipment that the Proposer must purchase, rent, or lease on a long or short-term basis to perform the services described in this RFP.

i. Rate Proposal Section

1) Basic content

The Rate section will consist of the following document:

- a) Rate Proposal form (**Attachment 14**).

2) General instructions

- a) The Rate Proposal form must be typewritten or completed in ink. Errors, if any, should be crossed out and corrections should be printed in ink or typewritten adjacent to the error. The person who signs the Rate Proposal should initial all corrections preferably in blue ink.
- b) On the Rate Proposal form, indicate the **all inclusive** case management fee to be received each month per Disease Management enrolled Member. List a rate proposal per Member per month (note: pmpm= rate per enrolled Member who receives services, not per eligible beneficiary), not a total price for the contract.
- c) When completing the Rate Proposal form, include all estimated costs in your all inclusive pmpm rate proposal to perform the services over the entire contract term, including applicable annual rate adjustments attributable to merit increases, profit margins, and inflation or cost of living adjustments. All of these factors should be contained in this all inclusive rate. CDHS will not reimburse the Contractor for any costs not included in the rate proposal represented in **Attachment 14**. These cost considerations may include, but are not limited to:
1. Personnel Costs
 2. Fringe Benefits
 3. Operating Expenses
 4. Equipment Expenses
 5. Facility Expenses
 6. Subcontract Expenses
 7. Travel Costs
 8. Indirect Costs
 9. Phase in and Phase Out Costs (unpaid portions of the contract term that need to be accounted for in your all inclusive rate proposal for the contract term)

j. Appendix Section

Place the following documentation in the Appendix Section of the proposal in the order shown below.

1) **Proof of Corporate status**

If the Proposer is a Corporation, submit **either** a copy of the proposing firm's most current Certificate of Status issued by State of California, Office of the Secretary of

State **or** submit a downloaded copy of the proposing firm's on-line status information from the California Business Portal website of California's Office of the Secretary of State. Include an explanation if this documentation cannot be submitted. Unless otherwise specified, do not submit copies of the proposing firm's Bylaws or Articles of Incorporation.

2) **Proof of Nonprofit status**

Nonprofit organizations must prove they are legally eligible to claim "nonprofit" and/or tax-exempt status by submitting a copy of an IRS determination letter indicating nonprofit or 501 (3) (c) tax-exempt status. Submit an explanation if this documentation cannot be supplied.

3) **An organization chart**

The organizational chart must show the lines of authority and reporting relationships within the Proposer's organization including the relationship between management and subcontractors and/or independent consultants, if any.

4) **Staff resumes**

Resume specifications appear in the Project Personnel Section. To the extent possible, resumes should not exceed 1-2 pages in length per person and should not include personal information such as a social security number, home address, home telephone number, home email address, marital status, sex, birth date, age, etc.

5) **Subcontractor / Consultant resumes**

Submit a resume for each pre-identified subcontractor or independent consultant, if any, as discussed in the Project Personnel Section. To the extent possible, resumes should not exceed 1-2 pages in length per person and should not include personal information such as a social security number, home address, home telephone number, home email address, marital status, sex, birth date, age, etc.

6) **Subcontractor / Consultant letters of agreement**

For each pre-identified subcontractor and independent consultant that will be used to perform services under the resulting contract, submit a letter of agreement to work on this project.

A letter of agreement must be signed by an official representative of each subcontracted firm or independent consultant, indicating his or her acknowledgement of being named as a subcontractor or consultant, their availability to work on this project and acknowledgement that they have read or been made aware of the proposed contract terms, conditions and exhibits. Include an explanation if a letter of agreement cannot be obtained from each pre-identified subcontractor and consultant and indicate when a letter of agreement will be forthcoming.

7) **Conflict of Interest Compliance Certificate**

- a) Any firm that intends to submit a proposal is required to submit **Attachment 17** certifying that the proposing firm understands that the conflict of interest requirements shall remain in effect for the entire term of the resulting agreement.

- b) If a conflict of interest is determined to exist that cannot be resolved to the satisfaction of CDHS, before the award of the contract, the conflict will be grounds for deeming a proposal nonresponsive.
- c) Proposers must assess their own situation according to the Conflict of Interest Compliance Certification information in **Attachment 17**. Complete, sign and attach any required documentation according to the instructions on the attachment. **Place Attachment 17 and any accompanying documentation in the Appendix Section of your proposal.**

8) **Small Business / Microbusiness Preference form (if applicable)**

Please complete **Attachment 18** if you are claiming this and/or any other preference, if available. Refer to RFP Section Q.1 for additional information regarding this preference.

k. Forms Section

Complete, sign, and include the forms/attachments listed below. When completing the attachments, follow the instructions in this section and any instructions appearing on the attachment. After completing and signing the applicable attachments, assemble them in the order shown below.

Attachment #, Name, or Documentation	Instructions
2 - Required Attachment / Certification Checklist	<ol style="list-style-type: none"> 1) Check each item with "Yes" or "N/A", as applicable, and sign the form. If necessary, explain the choices. 2) If a Proposer marks "Yes" or "N/A" and makes any notation on the checklist and/or attaches an explanation to the checklist to clarify their choice, CDHS considers this a "qualified response". Any "qualified response", determined by CDHS to be unsatisfactory or insufficient to meet a requirement, may cause a proposal to be deemed nonresponsive.
3 - Business Information Sheet	Completion of the form is self-explanatory.
4 - Client References	Identify three (3) clients serviced within the past five years that can confirm their satisfaction with the Proposer's services and confirm that the Proposer provided timely and effective services or deliverables. If possible, identify clients whose needs were similar in scope and nature to the services sought in this RFP. List the most recent first.
5 - RFP Clause Certification	Complete and sign this form indicating a willingness and ability to comply with the contract certification clauses appearing in the RFP section entitled, "Bid Requirements and Information," subsection "Bidding Certification Causes".

Attachment #, Name, or Documentation	Instructions
6 - CCC 1005 – Certification	Complete and sign this form indicating a willingness and ability to comply with the Contractor Certification Clauses appearing in this Attachment. The attachment supplied in this solicitation represents only a portion of the contractor information in this document. Visit this web site to view the entire document: http://www.ols.dgs.ca.gov/Standard+Language/default.htm .
7 - Payee Data Record	Complete and return this form, <u>only</u> if the proposing firm has not previously entered into a contract with CDHS. If uncertain, complete and return the form.
8 - Follow-on Consultant Contract Disclosure	Complete and sign this form. If applicable, attach to this form the appropriate disclosure information.
9a - Actual DVBE Participation and applicable DVBE certification(s) and/or 9b - Good Faith Effort with required documentation	Read and carefully follow the completion instructions in Attachment 9. Attach the documentation that is required for the form(s) that are submitted. One and/or both of these two forms may be required. Submission of the forms identified here only applies to contract awards that will equal \$10,000 or more for the entire contract term.
10a-Non-Small Business Subcontractor Preference Request 10b-Small Business Subcontractor / Supplier Acknowledgement	Submission of these forms is optional. Read and carefully follow the completion instructions in Attachments 10, 10a, and 10b. Complete and return Attachments 10a and 10b <u>only</u> if the bidding firm is a not a certified small business but is requesting a subcontractor bidding preference by committing to use one or more certified small business subcontractors for an amount equal to at least 25% of the total bid price.
11 - Target Area Contract Preference Act Request	Submission of this form is optional. Complete and return this form, <u>only</u> if the proposing firm is based in California, <u>and</u> the total bid price is \$100,000 or more, <u>and</u> CDHS has not pre-set any part of the work location, <u>and</u> the Proposer wishes to apply for TACPA preference.
12 - Enterprise Zone Act (EZA) Preference Request	Submission of this form is optional. Complete and return this form, <u>only</u> if the proposing firm is based in California, <u>and</u> the total bid price is \$100,000 or more, <u>and</u> CDHS has not pre-set any part of the work location, <u>and</u> the Proposer wishes to apply for EZA preference.

L. Proposal Submission

1. General Instructions

- a. Assemble an original, five (5) copies, and one (1) CD-ROM version of the narrative proposal together. Do not include Attachment 14, Rate Proposal form, with this set. Instead, place the original Attachment 14, five (5) copies of Attachment 14, and one (1) CD-ROM containing only the rate proposal (Attachment 14) in a separate, sealed envelope or package labeled "Rate Proposal". Place all of the proposal sets marked "Original" on top, followed by the five (5) extra copies. Place the CD-ROM's in a protective jewel case or envelope.

Note: The CD-ROM versions must be identical to the original hardcopy of the narrative proposal and rate proposal.

- b. Place all proposal copies in a single package, if possible. Seal the package.

If more than one package is submitted, carefully label each one as instructed below, and mark on the outside of each envelope or package "1 of X", "2 of X", etc.

- c. Mail or arrange for hand delivery of the proposal to the California Department of Health Services, Office of Medi-Cal Procurement. Proposals may not be transmitted electronically by fax or email.
- d. The Office of Medi-Cal Procurement must receive the proposal, regardless of postmark or method of delivery, by **4:00 p.m. on October 18, 2006**. Late proposals will not be reviewed or scored.
- e. Label and submit the proposal using one of the following methods.

U.S. Mail	Hand Delivery and Overnight Express:
Proposal RFP 06-55519 CA Department of Health Services Office of Medi-Cal Procurement HIV/AIDS Disease Management Pilot Program Mail Station 4200 P.O. Box 997413 Sacramento, CA 95899-7413	Proposal RFP 06-55519 CA Department of Health Services HIV/AIDS Disease Management Pilot Program MS 4200 1501 Capitol Avenue, Ste. 71.5131 Sacramento, CA 95814

- f. **Proposer warning**

1. CDHS' internal processing of U.S. mail may add 48 hours or more to the delivery time. If proposals are mailed, consider using certified or registered mail and request a receipt upon delivery.
2. For hand deliveries, including special courier and messenger services, allow sufficient time to locate on street metered parking and to check in at the security station. Ask security personnel to call Cristyn Lao or Subran Singh (or their designee) at (916) 552-8006 to arrange for question pickup and receipt issuance by OMCP staff (if required).

3. Due to parking restrictions at this location, express delivery companies (Fed Ex, UPS, DHL, etc.) deliver to the building's loading dock area. CDHS internal processing of express deliveries may add 12-24 hours to the delivery time, and should be considered when determining your shipping date and time.

Note: See Appendix 6 for map and directions to OMCP.

2. Proof of timely receipt

- a. CDHS staff will log and attach a date/time stamped slip or bid receipt to each proposal package/envelope received. If a proposal package is hand delivered, CDHS staff will give a bid receipt to the hand carrier upon request.
- b. To be timely, CDHS' Office of Medi-Cal Procurement must receive each proposal at the stated delivery address no later than 4:00 p.m. on the proposal submission due date. Neither delivery to the department's mailroom or a U.S. postmark will serve as proof of timely delivery.
- c. CDHS shall deem all late proposals as nonresponsive.

3. Proposer costs

Proposers are responsible for all costs of developing and submitting a proposal. Such costs cannot be charged to CDHS or included in any cost element of a Proposer's rate offering.

M. Evaluation and Selection

A multiple stage evaluation process will be used to review and/or score narrative proposals. CDHS shall reject any proposal that is deemed to be nonresponsive, at any stage of evaluation.

A separate evaluation committee will be used for all stages during the evaluation and selection process. The evaluation committee is comprised of four groups:

The **Preliminary Review Committee (PRC)** consists of team leads from OMCP and Medi-Cal Benefits Branch and conducts the Stage 1 review.

The **Evaluation Scoring Committee (ESC)** consists of Benefits Analysis Section staff and CDHS staff working in other areas of the Medi-Cal program. The ESC conducts the review of the proposals.

The **Rating Review Committee (RRC)** consists of OMCP management staff and members of the PRC. The RRC will interact with the ESC throughout the evaluation process.

The **Executive Review Committee (ERC)** consists of CDHS management officials. The ERC may, at the members discretion, review evaluation and selection processes and recommended scores for each proposal throughout the procurement process. The review is to assure all appropriate processes have been followed. Additionally, the ERC may seek independent review or advice from individuals within the CDHS or elsewhere regarding procurement policy matters, narrative and/or rate proposal deficiencies, and acceptability.

1. Stage 1 – Required Attachment / Certification Checklist review

- a. Shortly after the proposal submission deadline, CDHS staff will convene to review each proposal for timeliness, completeness, and initial responsiveness to the RFP requirements. This is a pass/fail evaluation.

- b. In this review stage, CDHS will compare the contents of each proposal to the claims made by the Proposer on the Required Attachment / Certification Checklist to determine if the Proposer's claims are accurate.
- c. If deemed necessary, CDHS may collect additional documentation (i.e., missing forms, missing data from RFP attachments, missing signatures, etc.) from a Proposer to confirm the claims made on the Required Attachment / Certification Checklist and to ensure that the proposal is initially responsive to the RFP requirements.
- d. If a Proposer's claims on the Required Attachment / Certification Checklist cannot be proven or substantiated, the proposal shall be deemed nonresponsive and rejected from further consideration.

2. Stage 2 – Narrative proposal evaluation / scoring

- a. Proposals that appear to meet the basic format requirements, initial qualification requirements and contain the required documentation, as evidenced by passing the Stage 1 review, will be submitted to a rating committee.

The raters will individually and/or as a team review, evaluate and numerically score proposals based on the proposal's adequacy, thoroughness, and the degree to which it complies with the RFP requirements.

- b. CDHS will use the following scoring system to assign points. Following this chart is a list of the considerations that raters may take into account when assigning individual points to a technical proposal.

Points	Interpretation	General basis for point assignment
0	Inadequate	Proposal response (i.e., content and/or explanation offered) is inadequate or does not meet CDHS' needs/requirements or expectations. The omission(s), flaw(s), or defect(s) are significant and unacceptable.
1	Barely Adequate	Proposal response (i.e., content and/or explanation offered) is barely adequate or barely meets CDHS' needs/requirements or expectations. The omission(s), flaw(s), or defect(s), may be consequential but are acceptable.
2	Adequate	Proposal response (i.e., content and/or explanation offered) is adequate or meets CDHS' needs/requirements or expectations. The omission(s), flaw(s), or defect(s), if any, are inconsequential and acceptable.
3	More than Adequate	Proposal response (i.e., content and/or explanation offered) is more than adequate or fully meets CDHS' needs/requirements or expectations.
4	Excellent or Outstanding	Proposal response (i.e., content and/or explanation offered) is well above average or exceeds CDHS' needs/requirements or expectations. Proposer offers one or more enhancing features, methods or approaches that will enable performance to exceed CDHS' basic expectations.

- c. In assigning points for individual rating factors, raters may consider issues including, but not limited to, the extent to which a proposal response:
- 1) Is lacking information, lacking depth or breadth or lacking significant facts and/or details, and/or
 - 2) Is fully developed, comprehensive and has few if any weaknesses, defects or deficiencies, and/or
 - 3) Demonstrates that the Proposer understands CDHS' needs, the services sought, and/or the contractor's responsibilities, and/or
 - 4) Illustrates the Proposer's capability to perform all services and meet all scope of work requirements, and/or
 - 5) If implemented, will contribute to the achievement of CDHS' goals and objectives, and/or
 - 6) Demonstrates the Proposer's capacity, capability and/or commitment to exceed regular service needs (i.e., enhanced features, approaches, or methods; creative or innovative business solutions).
- d. Below are the point values and weight values for each rating category that will be scored. The Narrative Proposal score will constitute 70 per cent of the final score and the Rate Proposal score will constitute 30 per cent of the final score.
- 1) The narrative proposal will be scored on a scale of 0 to 322 points, as follows:

<u>Rating Category</u>	<u>Points</u>	<u>X</u>	<u>Weight</u>	<u>=</u>	<u>Total</u>
Executive Summary	20	X	1.0	=	20.0
Agency Capability	68	X	0.6	=	40.8
Work Plan	164	X	1.0	=	164.0
Management Plan	44	X	0.9	=	39.6
Project Personnel	12	X	3.2	=	38.4
Facilities and Resources	12	X	1.6	=	19.2
Grand Total					322.0

3. Stage 3 – Scoring the Rate Proposal

- a. The proposal offering the lowest total rate proposal earns 138 Rate Proposal points. The remaining proposals earn rate proposal points through the rate conversion formula shown below. Final calculations shall result in numbers rounded to two decimal places.

Lowest Rate x 138 (Possible rate points) = Rate Proposal score of the other
Another
Proposal's Rate

- b. **Example for illustration purposes only:**

Lowest rate proposal earns 138 points.

\$78 (lowest rate) ÷ \$100 (another proposal rate) = .78

.78 X 138 points = 107.64 (Rate Proposal Section Score of another Proposer)

4. Stage 4 – Combining Narrative Proposal Score and Rate Proposal Score

CDHS will combine the narrative proposal score to the final Rate Proposal Section score and will tentatively identify the firm with the highest combined proposal score from each of the earlier evaluation stage(s).

5. Stage 5 – Adjustments to Score Calculations for Bidding Preferences

- a. CDHS will determine which firms, if any, are eligible to receive a bidding preference (i.e., small business or non-small business subcontractor preference, TACPA and/or EZA).
- b. To confirm the identity of the highest scored responsive Proposer, CDHS will adjust the total score for applicable claimed preference(s) for those Proposers eligible for bidding preferences. CDHS will apply preference adjustments to eligible Proposers according to State regulations following verification of eligibility with the appropriate office of the Department of General Services. More information about the allowable bidding preferences appears in the RFP section entitled, "Preference Programs".

6. Stage 6 – Final Score Calculation

CDHS will use the formula shown below to calculate final proposal scores and to determine the highest scored proposal:

$$\begin{array}{r}
 \text{Technical Score} \\
 + \text{Rate Score} \\
 \hline
 = \text{Total Point Score}
 \end{array}$$

N. Narrative Proposal Rating Factors

Raters will use the following criteria to score the narrative portion of each proposal.

1. Executive Summary

Executive Summary Evaluation Questions Section K.3.c [Not to exceed 3 pages]	Points Possible	Points Earned
1.1 To what extent does the Proposer express, in their own words, its understanding of CDHS' needs and the importance of this project? Assign 1 point or 0 points if the Proposer restates or paraphrases information in the RFP.	4	
1.2 To what extent does the Proposer demonstrate the tangible results that it expects to achieve? Assign 1 point or 0 points if the Proposer restates or paraphrases information in the RFP.	4	
1.3 To what extent does the Proposer express a sincere commitment to perform this work in an efficient and timely manner?	4	
1.4 To what extent does the Proposer demonstrate that it can effectively integrate this project into its current obligations and existing workload?	4	
1.5 To what extent does the Proposer adequately explain why it should be chosen to undertake this project at this time?	4	
Executive Summary Score	Points earned X 1.0 =	

2. Agency Capability

Agency Capability Evaluation Questions Section K.3.d	Points Possible	Points Earned
2.1 Upon reviewing the Proposer's description of its business history, to what extent are the Proposing firm's goals relevant, closely related, or complementary to this project?	4	
2.2 Upon reviewing the Proposer's description of its business history, to what extent does the Proposer demonstrate knowledge of the special needs of the Medi-Cal fee-for-service population with HIV/AIDS and the challenges in providing quality cost effective care to this population.	4	
2.3 From the experience described in its proposal, to what extent does the Proposer possess experience within the last five (5) years of adhering to nationally recognized evidence-based guidelines in order to improve a Member's health status?	4	
2.4 From the experience described in its proposal, to what extent does the Proposer possess experience within the last five (5) years in reducing hospital admissions and inappropriate use of emergency services?	4	
2.5 From the experience described in its proposal, to what extent does the Proposer possess experience within the last five (5) years in establishing a medical home?	4	
2.6 From the experience described in its proposal, to what extent does the Proposer possess experience within the last five (5) years in coordinating member care including establishing collaboration between providers, the Member, and the community?	4	
2.7 From the experience described in its proposal, to what extent does the Proposer possess experience within the last five (5) years of facilitating Member access to care?	4	
2.8 From the experience described in its proposal, to what extent does the Proposer possess experience within the last five (5) years in disease and/or case management through a health advice line?	4	
2.9 From the experience described in its proposal, to what extent does the Proposer possess experience within the last five (5) years in promoting appropriate use of medication, goods and services?	4	
2.10 From the experience described in its proposal, to what extent does the Proposer possess experience within the last five (5) years in providing Member education and self-management skills?	4	
2.11 From the experience described in its proposal, to what extent does the Proposer possess experience within the last five (5) years in achieving Member and provider satisfaction in a disease and/or case management program?	4	
2.12 From the experience described in its proposal, to what extent does the Proposer possess experience within the last five (5) years in the appropriate use of technology for management and monitoring of chronic disease conditions?	4	
2.13 From the experience described in its proposal, to what extent does the Proposer possess experience within the last five (5) years in outcome measurement, profiling and reporting of member health status?	4	

Agency Capability Evaluation Questions Section K.3.d	Points Possible	Points Earned
2.14 From the experience described in its proposal, to what extent does the Proposer possess experience within the last five (5) years in using reporting and feedback loops to improve quality?	4	
2.15 From the experience described in its proposal, to what extent does the Proposer possess experience within the last five (5) years in using population identification processes to identify and contact potential Members for an enrollment program?	4	
2.16 Based on a review of the Proposer's information about its prior accounts or work projects in the past 5 years, to what extent does the Proposer demonstrate that it has performed services that were similar in nature or closely related to the RFP Scope of Work?	4	
2.17 To what extent does the Proposer demonstrate that it has experience establishing and maintaining effective working relationships with government entities, local community based organizations, and private nonprofit organizations?	4	
Agency Capability Score _____ Points earned X 0.6 = _____		

3. Work Plan

Work Plan Evaluation Questions (K.3.e.4)	Points Possible	Points Earned
MIS Work Plan Evaluation Questions		
3.1 To what extent does the Proposer describe a MIS plan which supports interaction between Financial; Member and Provider; Eligibility; Encounter Claims; Quality Improvement; Utilization Monitoring and Report Generation subsystems?	4	
3.2 To what extent does a Proposer have experience with a MIS system (i.e. storing, tracking, trending, and reporting data)?	4	
3.3 To what extent does the Proposer describe the firm's MIS capability that demonstrates their commitment to fulfilling the contract requirements?	4	
QIS Work Plan Evaluation Questions		
3.4 To what extent does the Proposer have a QIS that demonstrates the firm's ability to perform responsibilities as outlined in Exhibit A, Provision 5.C?	4	
3.5 To what extent does the Proposer have experience in implementing and maintaining an accountable and effective QIS?	4	
3.6 To what extent does the Proposer have experience in effectively monitoring and evaluating delegated quality improvement activities?	4	
3.7 To what extent does the Proposer have experience in disseminating quality improvement activities/outcomes and incorporating feedback from the stakeholders to improve quality?	4	
3.8 To what extent does the Proposer have experience in cooperating with an external evaluation agency?	4	
3.9 To what extent does the Proposer describe the firm's quality improvement activities that demonstrate their commitment to fulfill the contract requirements?	4	

Work Plan Evaluation Questions (K.3.e.4)	Points Possible	Points Earned
UM Work Plan Evaluation Questions		
3.10 To what extent does the Proposer have experience with processes used to monitor the provision of services?	4	
3.11 To what extent does the Proposer have experience in developing and implementing strategies to minimize inappropriate utilization of emergency department services, acute care hospitalizations, specialist services, medications and other goods and services?	4	
3.12 To what extent does the Proposer have experience in using data and reports to improve utilization of goods and services?	4	
3.13 To what extent does the Proposer describe the firm's UM activities that demonstrate their commitment to fulfill contract requirements?	4	
Member Services Work Plan Evaluation Questions		
3.14 To what extent does the Proposer have experience with a Member Services Plan that addresses Members rights and responsibilities?	4	
3.15 To what extent does the Proposer have experience in developing and implementing policies and procedures that address Members rights and responsibilities? See Exhibit A, Provision 5.E.1.a and 5.E.1.b: Experience in all 13 areas = 4 points Experience in 10 areas = 3 points Experience in 7 areas = 2 points Experience in 4 areas = 1 point Experience in less than 4 areas = 0 points	4	
3.16 To what extent does the Proposer identify proposed or existing staff sufficient to support the Members Services function?	4	
3.17 To what extent does the Proposer describe staff requirements and a training plan that would ensure knowledgeable Member Services staff?	4	
3.18 To what extent does the Proposer have experience in developing and distributing Member Services Guides?	4	
3.19 To what extent does the Proposer have experience that demonstrates their ability to maintain, collect, store, retrieve, and ensure confidentiality of Members records?	4	
3.20 To what extent does the Proposer describe the firm's Members Services activities that demonstrate their commitment to fulfill contract requirements?	4	
3.21 To what extent does the Proposer describe a Marketing Plan that demonstrates the Proposer's marketing procedures, activities and methods?	4	
3.22 To what extent does the Proposer have experience in developing and implementing a Marketing Plan?	4	
3.23 To what extent does the Proposer describe the firm's marketing activities that demonstrate their commitment to fulfill contract requirements?	4	
3.24 To what extent does the Proposer describe a Scope of Services Plan that demonstrates the Proposer's ability to provide outreach and assessment services?	4	

Work Plan Evaluation Questions (K.3.e.4)	Points Possible	Points Earned
3.25 To what extent does the Proposer have experience in developing and implementing policies and procedures for outreach and assessment services?	4	
3.26 To what extent does the Proposer describe a Scope of Services Plan that demonstrates the Proposer's ability to provide enrollment/disenrollment services?	4	
3.27 To what extent does the Proposer have experience in developing and implementing policies and procedures for enrollment/disenrollment services?	4	
3.28 To what extent does the Proposer describe a Scope of Services Plan that demonstrates the Proposer's ability to provide disease/case management services?	4	
3.29 To what extent does the Proposer have experience in developing and implementing policies and procedures for disease/case management services?	4	
3.30 To what extent does the Proposer describe a Scope of Services Plan that demonstrates the Proposer's ability to provide a health advice line?	4	
3.31 To what extent does the Proposer have experience in developing and implementing policies and procedures for a health advice line?	4	
3.32 To what extent does the Proposer describe a Scope of Services Plan that demonstrates the Proposer's ability to provide Member education?	4	
3.33 To what extent does the Proposer have experience in developing and implementing policies and procedures for Member education?	4	
3.34 To what extent does the Proposer describe the firm's outreach and assessment; enrollment/disenrollment; disease/case management; advice line; and Member education activities that demonstrate their commitment to fulfill contract requirements?	4	
3.35 To what extent does the Proposer describe an Access and Availability plan that demonstrates the Proposer's ability to assist Members in obtaining timely and culturally sensitive services?	4	
3.36 To what extent does the Proposer have experience in developing and implementing access policies and procedures?	4	
3.37 To what extent does the Proposer describe the firm's access standards that demonstrate their commitment to fulfill contract requirements?	4	
Provider Services Work Plan Evaluation Questions		
3.38 To what extent does the Proposer describe processes for meeting requirements and responsibilities to keep providers/PCP informed and updated regarding the DMPP, including Member's rights, Member services, the right of the Member to actively participate in health care decisions, the use of evidence-based practice guidelines, evaluation and appropriate treatment of mental health issues and identification and utilization of community resources?	4	
3.39 To what extent does the Proposer have experience in developing and implementing a provider training and education program?	4	
3.40 To what extent does the Proposer describe a system which will provide information to the provider/PCP relating to the Member's adherence to the ITP?	4	

Work Plan Evaluation Questions (K.3.e.4)	Points Possible	Points Earned
3.41 To what extent does the Proposer describe the firm's provider services activities that demonstrate their commitment to fulfill contract requirements?	4	
Work Plan Score _____ Points earned X 1.0 = _____		

4. Management Plan

Management Plan Evaluation Questions Section K.3.f	Points Possible	Points Earned
4.1 Upon reviewing the Proposer's description of its organizational and administrative capabilities, to what extent does the Proposer maintain sufficient organization and staffing for implementing and operating the Contract?	4	
4.2 Upon reviewing the Proposer's description of its organizational and administrative capabilities, to what extent does the Proposer describe an accountable governing body?	4	
4.3 Upon reviewing the Proposer's description of its organizational and administrative capabilities, to what extent does the Proposer provide policies and procedures for the conduct of the business, which provides effective controls for the organization?	4	
4.4 Upon reviewing the Proposer's description of its organizational and administrative capabilities, to what extent does the Proposer ensure that medical decisions are rendered by qualified medical personnel?	4	
4.5 Upon reviewing the Proposer's description of its organizational and administrative capabilities, to what extent does the Proposer ensure that medical decisions, including those by subcontractors, are not unduly influenced by fiscal and administrative management?	4	
4.6 Upon reviewing the Proposer's description of its organizational and administrative capabilities, to what extent does the Proposer ensure that medical protocols and rules of conduct for medical personnel are followed?	4	
4.7 Upon reviewing the Proposer's description of its organizational and administrative capabilities, to what extent does the Proposer describe the role of the medical director in resolving disputes related to member and provider services?	4	
4.8 Upon reviewing the Proposer's description of its organizational and administrative capabilities, to what extent does the Proposer demonstrate the ability to submit reports to ensure that contract requirements are being met	4	
4.9 To what extent has the Proposer demonstrated its capability to effectively coordinate, manage and monitor the efforts of assigned staff (including subcontractors and consultants) to ensure that work is effectively completed and timely?	4	
4.10 Upon reviewing the Proposer's description of its fiscal accounting processes and budgetary controls, to what extent are the fiscal processes and controls adequate to ensure the responsible use and management of contract funds and accurate invoicing?	4	

Management Plan Evaluation Questions Section K.3.f	Points Possible	Points Earned
4.11 Upon reviewing the Proposer's organization chart in the Appendix Section, to what extent is the Proposer's organizational structure sound with distinct lines of authority and reporting relationships between management and all staff including subcontractors and independent consultants?	4	
Management Plan Score _____ Points earned X 0.9 = _____		

5. Project Personnel

Project Personnel Evaluation Questions Section: K.3.g	Points Possible	Points Earned
5.1 Upon reviewing the Proposer's staffing plan, to what extent has the Proposer allocated a sufficient number of staff in the appropriate position level or classification to perform the full range of services?	4	
5.2 Upon reviewing the Proposer's staffing plan, to what extent has the Proposer allocated ample full-time-equivalents or percentages of staff time for each position or classification?	4	
5.3 Upon reviewing the Proposer's staffing plan, to what extent has the Proposer identified and described by name and/or position title, each key staff person that will have primary responsibility for managing the work of assigned staff, subcontractors and/or independent consultants and staff who will maintain effective communications with CDHS (i.e., Project or Program Manager, Project or Program Director, Contract Manager, etc.)?	4	
Project Personnel Score _____ Points earned X 3.2 = _____		

6. Facilities and Resources

Facilities and Resources Evaluation Questions Section; K.3.h	Points Possible	Points Earned
6.1 To what extent does the Proposer have access to office facilities that are sufficient to enable performance of the scope of work?	4	
6.2 To what extent does the Proposer have access to an office facility located in California which can provide access to Member's records and operational policies and procedures?	4	
6.3 To what extent does the Proposer have access to adequate support services and other resources that are needed to ensure successful performance of the contract?	4	
Facilities and Resources Score _____ Points earned X 1.6 = _____		

O. Bid Requirements and Information

1. Nonresponsive proposals

In addition to any condition previously indicated in this RFP, the following occurrences **may** cause CDHS to deem a proposal nonresponsive.

- a. Failure of a Proposer to:
 - 1) Meet DVBE participation goals or to demonstrate that a substantial Good Faith Effort (GFE) was made to meet those goals.
 - 2) Meet proposal format/content or submission requirements including, but not limited to, the sealing, labeling, packaging and/or timely and proper delivery of proposals.
 - 3) Pass the Required Attachment / Certification Checklist review (i.e., by not marking "Yes" to applicable items or by not appropriately justifying, to CDHS' satisfaction, all "N/A" designations).
 - 4) Submit a **mandatory** Conflict of Interest Compliance Certificate in the manner required, if applicable.
- b. If a Proposer submits a proposal that is conditional, materially incomplete or contains material defects, alterations or irregularities of any kind.
- c. If a Proposer supplies false, inaccurate or misleading information or falsely certifies compliance on any RFP attachment.
- d. If CDHS discovers, at any stage of the bid process or upon contract award, that the Proposer is unwilling or unable to comply with the contract terms, conditions and exhibits cited in this RFP or the resulting contract.
- e. If other irregularities occur in a proposal that is not specifically addressed herein (i.e., the Proposer places any conditions on performance of the scope of work, submits a counter proposal, etc.).

2. Proposal modifications after submission

- a. All proposals are to be complete when submitted. However, an entire proposal may be withdrawn and the Proposer may resubmit a new proposal in accordance with section O, provision 4, below.
- b. To withdraw and/or resubmit a new proposal, follow the instructions appearing in the RFP section entitled, "Withdrawal and/or Resubmission of Proposals," below.

3. Proposal mistakes

If prior to contract award, award confirmation, or contract signing, a Proposer discovers a mistake in their proposal and/or rate offering that renders the Proposer unable or unwilling to perform all scope of work services as described in its proposal for the price/Attachment 14 rates offered, the Proposer must immediately notify CDHS and submit a written request to withdraw its proposal following the procedures set forth in Section O, provision 4.b, below.

4. Withdrawal and/or Resubmission of Proposals

- a. Withdrawal deadlines

A Proposer may withdraw a proposal at any time before the proposal submission deadline.

b. Submitting a withdrawal request

- 1) Submit a written withdrawal request, signed by an authorized representative of the Proposer.
- 2) Label and submit the withdrawal request using one of the following methods.

U.S. Mail	Hand Delivery and Overnight Express or Fax:
Withdrawal RFP 06-55519 Attn: Cristyn Lao or Subran Singh CA Department of Health Services Office of Medi-Cal Procurement HIV/AIDS Disease Management Pilot Program Mail Station 4200 P.O. Box 997413 Sacramento, CA 95899-7413	Withdrawal RFP 06-55519 Attn: Cristyn Lao or Subran Singh CA Department of Health Services HIV/AIDS Disease Management Pilot Program MS 4200 1501 Capitol Avenue, Ste. 71.5131 Sacramento, CA 95814 or Fax: (916) 440-7369

- 3) Proposers must call (916) 552-8006 to confirm receipt of a faxed withdrawal request. Follow-up the faxed request by mailing or delivering the signed original withdrawal request within 24 hours after submitting a faxed request.

An originally signed withdrawal request is generally required before CDHS will return a proposal to a Proposer. CDHS may grant an exception if the Proposer informs CDHS that a new or replacement proposal will immediately follow the withdrawal.

c. Resubmitting a proposal

After withdrawing a proposal, Proposers may resubmit a new proposal according to the proposal submission instructions. Replacement proposals must be received at the stated place of delivery by the proposal due date and time.

5. Contract award and protests

a. Contract award

- 1) Award of the contract, if awarded, will be to the responsive and responsible Proposer who earns the highest total score. The highest scored proposal will be determined after CDHS adjusts Proposer scores for applicable bidder preferences.
- 2) CDHS shall award the contract only after CDHS posts a Notice of Intent to Award for five (5) working days. CDHS expects to post the Notice of Intent to Award before the close of business on **December 15, 2006** in a Contract Award Notices Binder which will be available for viewing by the public during normal business hours, at the following location:

California Department of Health Services
 Contract Management Unit
 1501 Capitol Avenue, First Floor Guard Station
 Sacramento, CA 95814

California Department of Health Services
Office of Medi-Cal Procurement
1501 Capitol Avenue, Suite 71.5131
Sacramento, CA 95814

- 3) CDHS will mail, email, or fax a written notification and/or a copy of the Notice of Intent to Award to all firms that submitted a proposal.
 - 4) CDHS will confirm the contract award to the winning Proposer after the protest deadline, if no protests are filed or following the Department of General Service's resolution of all protests. CDHS staff may confirm an award verbally or in writing.
- b. Settlement of ties
- 1) In the event of a precise total high score tie between a responsive proposal submitted by a certified small business or microbusiness and a responsive proposal submitted by a certified DVBE that is also a certified small business, the contract will be awarded to the DVBE firm per Government Code Section 14838(f) et seq.
 - 2) In the event of a precise total high score tie between a responsive proposal submitted by a firm that was granted non-small business subcontractor preference and a responsive proposal submitted by a certified small business or microbusiness, the contract will be awarded to the certified small business or microbusiness.
 - 3) In the event of a precise total high score between a responsive proposal submitted by a nonprofit veteran service agency (NVSA) that is a certified small business and a responsive proposal submitted by a certified DVBE that is also a certified small business, the contract will be awarded to the certified DVBE.
 - 4) In the absence of a California law or regulation governing a specific tie, CDHS will settle all other precise total high score ties by making an award to the Proposer who earns the highest narrative or Technical Proposal score. If narrative or Technical Proposal scores are also tied, CDHS will settle the tie in a manner that CDHS determines to be fair and equitable (e.g., coin toss, lot drawing, etc.). In no event will CDHS settle a tie by dividing the work among the tied Proposers.
- c. Protests
- 1) Who can protest

Any Proposer who submits a proposal may file protest if the Proposer believes its proposal is responsive to all RFP requirements.
 - 2) Grounds for protests

Protests are limited to the grounds described in Public Contract Code (PCC) Section 10345. CDHS will not make an award until all protests are withdrawn by the protestant, denied, or resolved to the satisfaction of the Department of General Services (DGS).
 - 3) Protest time lines
 - a. Eligible Proposers may file a first and quite brief "Notice of Intent to Protest" within five working days after CDHS posts the Notice of Intent to Award.

- b. Within five calendar days after filing a “Notice of Intent to Protest”, the protestant must file a full and complete written protest statement identifying the specific grounds for the protest. The statement must contain, in detail, the reasons, law, rule, regulation, or practice that the protestant believes CDHS has improperly applied in awarding the contract.

4) Submitting a protest

Protests must be filed with both the Department of General Services and the Department of Health Services. Proposers may hand deliver, mail or fax a protest.

Label, address, and submit the initial protest notice and detailed protest statement using one of the following methods.

U.S. Mail, Hand Delivery or Overnight Express:	Fax:
Protest to CDHS RFP 06-55519 Dept. of Health Services Contract Management Unit Mail Station 1403 1501 Capitol Avenue, Suite 71.2101 P.O. Box 997413 Sacramento, CA 95899-7413	Protest to CDHS RFP 06-55519 Dept. of Health Services Contract Management Unit Fax: (916) 650-0110
Protest to CDHS RFP 06-55519 Dept. of General Services Office of Legal Services Attention: Protest Coordinator 707 Third Street, 7 th Floor, Suite 7-330 P.O. Box 989052 West Sacramento, CA 95798-9052	Protest to CDHS RFP 06-55519 Dept. of General Services Office of Legal Services Fax: (916) 376-5088

For faxed protests

Faxed protests must be followed-up by sending an original signed protest, with all supporting material, within one (1) calendar week of submitting the faxed protest.

Call the telephone numbers below to confirm receipt of a fax transmission:

Department of General Services	(916) 376-5080
CA Department of Health Services	(916) 650-0100

6. Disposition of proposals

- a. All materials submitted in response to this RFP will become the property of the California Department of Health Services and, as such, are subject to the Public Records Act (GC Section 6250, et seq.). CDHS will disregard any language purporting to render all or portions of any proposal confidential.
- b. Upon posting of a Notice of Intent to Award, all documents submitted in response to this RFP and all documents used in the selection process (e.g., review checklists, scoring sheets, letters of intent, etc.) will be regarded as public records under the California Public Records Act (Government Code Section 6250 et seq.) and subject to review by the public. However, proposal contents, Proposer correspondence, selection working

papers, or any other medium shall be held in the strictest confidence until the Notice of Intent to award is posted. Materials from losing proposals will be held for 6 months only following the award of the contract.

- c. CDHS may return a proposal to a Proposer at their request and expense after CDHS concludes the bid process.

7. Inspecting or obtaining copies of proposals

- a. Who can inspect or copy proposal materials

Any person or member of the public can inspect or obtain copies of any proposal materials.

- b. What can be inspected / copied and when

- 1) After CDHS releases the RFP, any existing Proposers List (i.e., list of firms to whom the RFP is sent) is considered a public record and will be available for inspection or copying.
- 2) After the Pre-Proposal Conference, the sign-in or attendance sheet is a public record and will be available for inspection or copying.
- 3) On or after the date CDHS posts the Notice of Intent to Award, all proposals, Proposers list, conference sign-in/attendance sheet, letters of intent, checklists and/or scoring/evaluation sheets become public records. These records shall be available for review, inspection and copying during normal business hours.

- c. Inspecting or obtaining copies of proposal materials:

Persons wishing to view or inspect any proposal or award related materials must identify the items they wish to inspect and must make an inspection appointment by contacting Cristyn Lao or Subran Singh at (916) 552-8006.

Persons wishing to obtain copies of proposal materials may visit CDHS or mail a written request to the CDHS office identified below. The requestor must identify the items they wish to have copied. Materials will not be released from State premises for the purposes of making copies.

Unless waived by CDHS, a check covering copying and/or mailing costs must accompany the request. Copying costs, when applicable, are charged at a rate of **ten cents** per page. CDHS will fulfill all copy requests as promptly as possible. Persons wishing to obtain copies of proposals in an expedited manner may also provide their own copying service at their own expense. Submit copy requests as follows:

Request for Copies - RFP 06-55519

Cristyn Lao or Subran Singh
CA Department of Health Services
Office of Medi-Cal Procurement
MS Code 4200
1501 Capitol Avenue, Suite 71.5131
PO Box 997413
Sacramento, CA 95899-7413

8. Verification of Proposer information

By submitting a proposal, Proposers agree to authorize CDHS to:

- a. Verify any and all claims made by the Proposer including, but not limited to verification of prior experience and the possession of other qualification requirements, and
- b. Check any reference identified by a Proposer or other resources known by the State to confirm the Proposer's business integrity and history of providing effective, efficient and timely services.

9. CDHS rights

In addition to the rights discussed elsewhere in this RFP, CDHS reserves the following rights.

a. RFP corrections

- 1) CDHS reserves the right to do any of the following up to the proposal submission deadline:
 - a) Modify any date or deadline appearing in this RFP or the RFP Time Schedule.
 - b) Issue clarification notices, addenda, alternate RFP instructions, forms, etc.
 - c) Waive any RFP requirement or instruction for all Proposers if CDHS determines that the requirement or instruction was unnecessary, erroneous or unreasonable.
 - d) Allow Proposers to submit questions about any RFP change, correction or addenda. If CDHS allows such questions, specific instructions will appear in the cover letter accompanying the document.
- 2) If deemed necessary by CDHS to remedy an RFP error or defect that is not detected in a timely manner, CDHS may also issue correction notices or waive any unnecessary, erroneous, or unreasonable RFP requirement or instruction after the proposal submission deadline.
- 3) If this RFP is clarified, corrected, or modified, CDHS will mail, email, or fax written clarification notices and/or RFP addenda to all persons/firms to whom CDHS received a Letter of Intent or a Request for Inclusion on Mailing List.

If CDHS decides, just before or on the proposal due date, to extend the submission deadline, CDHS may choose to notify potential Proposers of the extension by fax, email, or by telephone. CDHS will follow-up any verbal notice in writing by fax, email, or by mail.

b. Collecting information from Proposers

- 1) If deemed necessary, CDHS may request a Proposer to submit additional documentation during or after the proposal review and evaluation process. CDHS will advise the Proposers orally, by fax, email, or in writing of the documentation that is required and the time line for submitting the documentation. CDHS will follow-up oral instructions in writing by fax, email, or mail. Failure to submit the required documentation by the date and time indicated may cause CDHS to deem a proposal nonresponsive.

- 2) CDHS, at its sole discretion, reserves the right to collect, by mail, email, fax or other method; the following omitted documentation and/or additional information.
 - a) Signed copies of any form submitted without a signature.
 - b) Data or documentation omitted from any submitted RFP attachment/form.
 - c) Information/material needed to clarify or confirm certifications or claims made by a Proposer.
 - d) Information/material or form needed to correct or remedy an immaterial defect in a proposal.
 - 3) The collection of Proposer documentation may cause CDHS to extend the date for posting the Notice of Intent to Award. If CDHS changes the posting date, CDHS will advise the Proposers, orally, via email, or in writing, of the alternate posting date.
- c. Immaterial proposal defects
- 1) CDHS may waive any immaterial defect in any proposal and allow the Proposer to remedy those defects. CDHS reserves the right to use its best judgment to determine what constitutes an immaterial deviation or defect.
 - 2) CDHS' waiver of an immaterial defect in a proposal shall in no way modify this RFP or excuse a Proposer from full compliance with all bid requirements.
- d. Correction of clerical or mathematical errors
- 1) CDHS reserves the right, at its sole discretion, to overlook, correct or require a Proposer to remedy any obvious clerical or mathematical errors occurring in the narrative portion of a proposal or on the Rate Proposal form.
 - 2) If the correction of an error results in an increase or decrease in the rate proposal, CDHS shall give the Proposer the option to accept the corrected rate or withdraw their proposal.
 - 3) Proposers may be required to initial corrections to dollar figures on the Rate Proposal form if the correction results in an alteration of the total rate offered.
- e. Right to remedy errors
- CDHS reserves the right to remedy errors caused by:
- 1) CDHS office equipment malfunctions or negligence by agency staff,
 - 2) Natural disasters (i.e., floods, fires, earthquakes, etc.).
- f. No contract award or RFP cancellation
- The issuance of this RFP does not constitute a commitment by CDHS to award a contract. CDHS reserves the right to reject all proposals and to cancel this RFP if it is in the best interests of CDHS to do so.
- g. Contract amendments after award
- As provided in the Public Contract Code governing contracts awarded by competitive bid, the CDHS reserves the right to amend the contract after CDHS makes a contract award.

h. Proposed use of subcontractors and/or independent consultants

Specific subcontract relationships proposed in response to this RFP (i.e., identification of pre-identified subcontractors and independent consultants) shall not be changed during the procurement process or prior to contract execution. The pre-identification of a subcontractor or independent consultant does not affect CDHS' right to approve personnel or staffing selections or changes made after the contract award.

i. Staffing changes after contract award

CDHS reserves the right to approve or disapprove changes in key personnel that occur after CDHS awards the contract.

P. Bidding Certification Clauses

1. Certificate of Independent Price Determination

a. The prospective Proposer certifies that:

- 1) The rates in this bid or proposal have been arrived at independently without any consultation, communication or agreement with any other Proposer, or competitor for the purpose of restricting competition relating to:
 - a) The prices or costs offered,
 - b) The intention to submit a bid or proposal,
 - c) The methods or factors used to calculate the rate or prices offered.
- 2) The rates in this bid or proposal have not been and will not be knowingly disclosed by the Proposer, directly or indirectly, to any other Proposer or competitor before the rate proposal opening date or date of contract award posting, unless otherwise required by law.
- 3) No attempt has been made or will be made by the Proposer to induce any other firm or entity to submit or not to submit a bid or proposal for the purpose of restricting competition.

b. Each signature appearing on the documents contained in this bid package/proposal is considered to be a certification by the signatory that the signatory:

Is the person in the Proposer's organization that is either responsible for determining the prices offered in this bid or proposal and/or is designated to complete the bid or proposal forms on behalf of the bidding firm, and the signatory has not participated and will not participate in any action contrary to all subsections of paragraph a.

2. Debarment and Suspension Certification

a. The Contractor certifies to the best of its knowledge and belief, that it and its principals:

- 1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any federal department or agency;
- 2) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal

or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

- 3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph a.2) of this certification; and
 - 4) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
 - 5) It shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in such transaction, unless authorized by the State.
 - 6) It will include a clause entitled "Debarment and Suspension Certification" that essentially sets forth the provisions herein, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
- b. If the Contractor is unable to certify to any of the statements in this certification, the Contractor shall submit an explanation to the program funding this contract.

3. Lobbying Restrictions and Disclosure

- a. The Contractor certifies, to the best of its knowledge and belief, that:
- 1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the Contractor, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
 - 2) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the Contractor shall complete and submit federal Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
 - 3) The Contractor shall require that the contents of this certification be collected from the recipients of all subawards, exceeding \$100,000, at all tiers (including subcontracts, subgrants, etc.) and shall be maintained for three years following final payment/settlement of those agreements.
- b. This certification is a material representation of fact upon which reliance was placed when this contract was made and/or entered into. The making of the above certification is a prerequisite for making or entering into this contract pursuant to 31 U.S.C. 1352 (45 CFR 93). Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

- c. The Standard Form-LLL may be obtained from various federal agencies, federally sponsored World Wide Web Internet sites, CDHS upon request or may be copied from Exhibit D(F) entitled, Special Terms and Conditions Please refer to pages 24-26 of Exhibit D(F).

Q. Preference Programs

To confirm the identity of the highest scored responsive Proposer, CDHS will adjust the total point score for applicable claimed preference(s). Bidding preferences shall not be applied to proposals that fail to pass the Checklist Review or fail to earn a minimum passing score during the narrative proposal scoring process. CDHS will apply preference adjustments to eligible Proposers according to State regulations following on-line or personal verification of eligibility with the appropriate office of the Department of General Services.

1. Small Business / Microbusiness Preference

- a. A responsive California small business or microbusiness Proposer claiming preference and verified as a certified small business or microbusiness in a relevant business category or type will be granted a preference of five percent (5%) of the total point score earned by the responsive/responsible Proposer with highest combined score, if the highest scored proposal is submitted by a non-small business. Non-small business means a responsive/responsible Proposer that is not certified by the California Department of General Services as a California small business or microbusiness in a relevant business category or type. The "service" category or business type will most likely apply to this procurement. Nonprofit Veteran Service Agencies (NVSA) are to view the instructions in provision 3 of this section (Preference Programs).
- b. To be certified as a California small business or microbusiness and eligible for a bidding preference the business concern must meet the State's eligibility requirements and must have submitted an application for small business status no later than 5:00 p.m. on the proposal submission deadline.
- c. Firms desiring small business or microbusiness certification must obtain the appropriate Small Business Certification Application (STD 813 or other form) from the appropriate office of the Department of General Services, fully complete the application, and submit it to the Department of General Services as instructed in the application. Prospective proposing firms desiring small business certification assistance, may contact the Department of General Services by the following means:
 - 1) (916) 322-5060 (24 hour recording and mail requests), or
 - 2) (916) 375-4940 (Small business assistance) or (800) 559-5529 (live operator Central receptionist), or
 - 3) Internet address: <http://www.pd.dgs.ca.gov/smbus/default.htm> or
 - 4) Fax: (916) 375-4950, or
 - 5) Email: osdchelp@dgs.ca.gov

2. Non-Small Business Subcontractor Preference

- a. Non-small business means a responsive/responsible Proposer that is not certified by the California Department of General Services as a small business or microbusiness.
- b. If the responsive Proposer earning the highest total score is not a certified small business/microbusiness, a bid preference up to five percent (5%) is available to a responsive non-small business Proposer committing twenty-five percent (25%) small business subcontractor use of one or more small businesses. When applicable, the

- preference points will be calculated pursuant to the regulations in Title 2, California Code of Regulations (CCR) § 1896.8 and will be added to total score of an eligible non-small business. This preference is authorized pursuant to Title 2, CCR § 1896.2 and Government Code § 14835.
- c. If a Proposer claims the non-small business subcontractor preference, the proposal response must identify each proposed small business subcontractor that will be used, the participation percentage and dollar amount committed to each identified small business subcontractor, and substantial proof to enable verification of each subcontractor's small business status. The total small business subcontractor use must equal no less than twenty-five percent (25%) of the total cost offered.
 - d. To be granted preference, each proposed small business subcontractor must possess an active small business certification issued by the Department of General services, must perform a "commercially useful function" under the contract and the basic functions to be performed must be identified at the time of proposal submission.
 - e. Complete **Attachment 10a (Non-Small Business Subcontractor Preference Request) and Attachment 10b (Small Business Subcontractor/Supplier Acknowledgement)** to request the non-small business subcontractor preference.
 - f. Refer to the RFP section entitled, "Settlement of ties" to learn how tied costs will be resolved.

3. Nonprofit Veteran Service Agency (NVSA) Small Business Preference

- a. Pursuant to Military and Veteran Code Section 999.50 et seq., responsive/responsible nonprofit veteran service agencies (NVSAs) claiming small business/microbusiness preference and verified as such in the relevant category or business type prior to the proposal submission due date will be granted a preference up to five percent (5%) of the highest score, if the highest scored responsive proposal is submitted by a Proposer not certified as a small business/microbusiness. The "service" category is the business type that will most likely apply to this procurement.
- b. To be eligible for the NVSA small business preference, the business concern must:
 - 1) Request small business preference at the time of proposal submission, and
 - 2) Become certified as a small business by the appropriate office of the California Department of General Services (DGS) prior to the proposal submission due date.
- c. Refer to the RFP section entitled, "Settlement of ties" to learn how tied proposals will be resolved.

4. Target Area Contract Preference Act and Enterprise Zone Act

- a. Government Code (GC) Section 4530 (TACPA) and GC Section 7070 (EZA) provide that California based companies shall be granted a 5% preference whenever a state agency prepares a solicitation for **services** in excess of \$100,000. The preference(s) shall apply if the worksite is not fixed by the government agency and the proposer can demonstrate and certify, under the penalty of perjury, that at least 90 percent of the total labor hours required to perform the services shall be performed at an identified worksite located in a distressed area (TACPA) or enterprise zone (EZA). TACPA/EZA preferences will only be applied if this procurement results in more than one responsive proposal receiving a passing narrative proposal score.

- b. Additional work force preferences ranging from 1% to 4% can be earned by eligible proposers that agree to hire 5% to 20% of persons with a high risk of unemployment or those living in a targeted employment area or that are enterprise zone eligible to perform a specified percentage of the contract work.
- c. The granting of TACPA or EZA preference cannot displace an award to a certified small business.
- d. Proposers seeking TACPA and/or EZA preference must submit a completed STD 830 - Target Area Contract Preference Act Request (**Attachment 11**) or a STD 831 - Enterprise Zone Act (EZA) Preference Request (**Attachment 12**) with their proposal. The applicable preference request form must include the following:
 - 1) All appropriate certifications. (TACPA and EZA)
 - 2) The proposing firm's name and the name of all suppliers and subcontractors that will work with the proposer to fulfill the terms of the contract along with the addresses of each of the worksite(s) and estimated labor hours. (TACPA and EZA)
 - 3) County census tract number and block group number. (TACPA)
 - 4) Enterprise zone name(s). (EZA)
 - 5) Proposer's original signature. (TACPA and EZA)
 - 6) A checkbox marked to identify the additional 1 to 4 percent preference sought for hiring persons with a high risk of unemployment. (TACPA and EZA)
- e. TACPA and/or EZA preference cannot be granted if:
 - 1) The lowest proposed cost does not equal or exceed \$100,000 for the entire term, **or**
 - 2) The work site or any part thereof is fixed or preset by the State, **or**
 - 3) The services involve construction or a public works project **or**
- f. A proposer who has claimed a TACPA and/or EZA preference and is awarded the contract will be obligated to perform in accordance with the preference(s) requested, provided the preference was granted in obtaining the contract. Firms receiving preference must:
 - 1) Report their labor hours to the State and
 - 2) Reference the state contract on which the award is based for the specific reporting requirements.
- g. Proposers wishing to learn more about TACPA and/or EZA requirements, designated work site(s) or enterprise zones in California should contact the appropriate office of the Department of General Services at (916) 375-4940. DGS will attempt to determine TACPA and/or EZA eligibility within two working days.

5. Local Military Base Recovery Area (LAMBRA) Act Preference

- a. LAMBRA preference may be granted for this procurement if the lowest cost offered is \$100,000 or more; if no part of the worksite is fixed by CDHS, and the proposer can demonstrate and certify, under the penalty of perjury, that 100 percent of the total labor hours required to perform the services shall be performed at an approved worksite located in a local military base recovery area. LAMBRA preference will only be applied if this procurement results in more than one responsive proposal receiving a passing Technical Proposal score.
- b. Proposers seeking to obtain a LAMBRA 5 percent preference must submit acquire and submit a completed STD 832 (Local Military Base Recovery Area Act for Goods and

Services Solicitations) with their proposal response. The STD 832 may be accessed at this Internet site: <http://www.documents.dgs.ca.gov/osp/pdf/std832.pdf>.

- c. Proposers wishing to obtain more information about LAMBRA Preference should visit this website: <http://www.pd.dgs.ca.gov/edip/lambra.htm>.

6. Combined preferences

The maximum preference or score addition that any proposer may be granted for preference, non-small business subcontractor preference, TACPA preference, EZA preference, or LAMBRA preference combined is 15%.

Any firm that claims and is granted non-small business subcontractor preference, TACPA preference, EZA preference, and/or LAMBRA preference cannot displace an award to a certified small business or microbusiness.

R. Contract Terms and Conditions

The winning Proposer must enter a written contract that may contain portions of the Proposer's proposal (i.e., Work Plan), Scope of Work, standard contract provisions, the contract form, and the exhibits identified below. Other exhibits, not identified herein, may also appear in the resulting contract.

The exhibits identified in this section contain contract terms that require strict adherence to various laws and contracting policies. A Proposer's unwillingness or inability to agree to the proposed terms and conditions shown below or contained in any exhibit identified in this RFP may cause CDHS to deem a Proposer non-responsible and ineligible for an award. CDHS reserves the right to use the latest version of any form or exhibit listed below in the resulting agreement if a newer version is available.

The exhibits identified below illustrate many of the terms and conditions that may appear in the final agreement between CDHS and the winning Proposer. Other terms and conditions, not specified in the exhibits identified below, may also appear in the resulting agreement. Some terms and conditions are conditional and may only appear in an agreement if certain conditions exist (i.e., contract total exceeds a certain amount, federal funding is used, etc.).

In general, CDHS will not accept alterations to the General Terms and Conditions (GTC), CDHS' Special Terms and Conditions, the Scope of Work, other exhibit terms/conditions, or alternate language that is proposed or submitted by a prospective contractor. CDHS may consider a proposal containing such provisions "a counter proposal" and CDHS may reject such a proposal as nonresponsive.

1. Sample contract forms / exhibits

Exhibit Label	Exhibit Name
a. Exhibit A1	Standard Agreement (1 page)
b. Exhibit A	Scope of Work (22 pages)
c. Exhibit B	Payment Provisions (4 pages)
d. Exhibit B, Attachment I	Special Payment Provisions (5 pages)

Exhibit Label	Exhibit Name
e. Exhibit C - View on-line.	General Terms and Conditions (GTC 306). View or download this exhibit at this Internet site http://www.ols.dgs.ca.gov/Standard+Language/default.htm .
f. Exhibit D(F)	Special Terms and Conditions (26 pages)
g. Exhibit E	Additional Provisions (20 pages)
h. Exhibit F	Contractor's Release (1 page)
i. Exhibit G	HIPAA Business Associate Addendum (7 pages)

2. Unanticipated tasks

In the event unanticipated or additional work must be performed that is not identified in this RFP, but in CDHS' opinion is necessary to successfully accomplish the scope of work, CDHS will initiate a contract amendment to add that work. All terms and conditions appearing in the final contract, including the salary/wage rates, will apply to any additional work.

3. Resolution of language conflicts (RFP vs. final agreement)

If an inconsistency or conflict arises between the terms and conditions appearing in the final agreement and the proposed terms and conditions appearing in this RFP, any inconsistency or conflict will be resolved by giving precedence to the final agreement.